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Mass. Bureau of Statistics

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*June 18, 1910*  
**The Commonwealth of Massachusetts**

**BUREAU OF STATISTICS**

**CHARLES F. GETTEMY, Director**

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**LABOR BULLETIN No. 73**

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**LABOR LEGISLATION IN  
MASSACHUSETTS**

**1910**



**JUNE, 1910**

**BOSTON  
WRIGHT & POTTER PRINTING COMPANY  
STATE PRINTERS  
1910**

# MASSACHUSETTS

## BUREAU OF STATISTICS

Rooms 250-258, State House, Boston

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The Bureau is organized into four permanent divisions: (1) the *Labor Division*, engaged in the collection and tabulation of Statistics of Strikes and Lockouts, Changes in Rates of Wages and Hours of Labor, Labor Organizations, Employment, and other data relative to the condition of labor in the Commonwealth; (2) the *Manufactures Division*, which collects and tabulates Statistics of Manufactures; (3) the *Municipal Division*, which collects and tabulates Statistics of Municipal Finances; (4) the *Free Employment Offices Division*, embracing the administration of the State Free Employment Offices, of which there are three, located respectively at 8 Kneeland Street, Boston; 24 Bridge Street, Springfield; and in the Bradford-Durfee Textile School Building, Fall River. During the period of taking and compiling the Census a fifth, the *Census Division*, is organized.

The functions of the Bureau and the duties of the Director are summarized in Sections 1 and 3 of Chapter 371 of the Acts of 1909, entitled "An Act to Provide for a Bureau of Statistics," as follows:

SECTION 1. There shall be a Bureau of Statistics, the duties of which shall be to collect, assort, arrange, and publish statistical information relative to the commercial, industrial, social, educational, and sanitary condition of the people, the productive industries of the Commonwealth, and the financial affairs of the cities and towns; to establish and maintain free employment offices as provided for by chapter four hundred and thirty-five of the acts of the year nineteen hundred and six and amendments thereof; and to take the decennial census of the Commonwealth required by the Constitution and present the results thereof in such manner as the General Court may determine.

. . . . .

SECTION 3. The director of the Bureau of Statistics shall annually on or before the third Wednesday in January submit to the General Court a statement summarizing the work of the bureau during the preceding year, and shall make therein such recommendations as he may deem proper. He shall also prepare annually, for distribution as public documents, a report on the statistics of labor, which shall embody statistical and other information relating especially to labor affairs in the Commonwealth; a report on the statistics of manufactures, to be gathered as hereinafter more particularly provided for; a report on the financial statistics of the cities and towns of the Commonwealth, to be gathered as hereinafter more particularly provided for; and a report covering the work of the free employment offices. . . . The director may also publish, at such intervals as he deems expedient, bulletins or special reports relative to industrial or economic matters and municipal affairs. . . .

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For a list of the publications of the Bureau see pages 3 and 4 of this cover.

# The Commonwealth of Massachusetts.

## BUREAU OF STATISTICS.

### LABOR BULLETIN, No. 73.

JUNE, 1910.

## LABOR LEGISLATION IN MASSACHUSETTS, 1910.

This compilation embraces the laws affecting labor which were passed by the Legislature of Massachusetts during the session of 1910.

For convenience in reference the following index is presented, giving the chapter numbers and titles of the several acts and classifying them according to general character:

### INDEX.

#### *Child Labor.*

CHAPTER 249. Relative to the forging of birth certificates.

CHAPTER 257. To provide for medical inspection of working children between the ages of fourteen and sixteen.

CHAPTER 404. Relative to the employment in dangerous trades of minors under the age of eighteen years.

CHAPTER 419. Relative to the licensing of minors to engage in certain occupations in cities.

RESOLUTION. Relative to the employment of child labor.

#### *Health and Safety.*

CHAPTER 259. Relative to sanitary provisions for factories and workshops.

CHAPTER 284. Relative to the construction, alteration, inspection and maintenance of buildings in the city of Boston.

CHAPTER 349. Relative to the construction, alteration, repair, maintenance and use of buildings in the city of Springfield.

CHAPTER 405. Relative to the duties of inspectors of health, and to the State board of health.

CHAPTER 523. Relative to the health districts and to the inspectors of health of the Commonwealth.

CHAPTER 543. Relative to regulating the humidity and temperature of the atmosphere in textile factories.

CHAPTER 640. To provide for inspection by boards of health of cold storage and refrigerating warehouses.

CHAPTER 56. Resolve to provide for the appointment of a commission to investigate the general subject of the inspection of factories, workshops, mercantile establishments and other buildings.

#### *Accidents and Compensation.*

CHAPTER 63. Relative to the venue of certain actions for damages.

CHAPTER 166. Relative to giving notices of injuries.

CHAPTER 493. Relative to the issuing of policies insuring against accidental bodily injury or disease.

CHAPTER 611. Relative to notices of actions for the recovery of damages for injuries or death.

CHAPTER 120. Resolve to provide for a commission to determine upon a plan of compensating employees for injuries received in the course of their employment.

#### *Pensions.*

CHAPTER 196. To provide for the retirement of members of the fire department of the city of New Bedford.

CHAPTER 295. Relative to the Massachusetts Police Mutual Aid Association.

CHAPTER 459. Relative to the retirement of veterans in the service of the counties of the Commonwealth.

CHAPTER 559. To authorize employers and employees to establish co-operative retirement, annuity or pension systems.

CHAPTER 617. Relative to the payment of pensions to the members of the teaching and supervising staff of the public schools of the city of Boston.

CHAPTER 619. To authorize the cities and towns of the Commonwealth to establish retirement systems for their employees.

CHAPTER 67. Resolve to provide for printing the report of the commission appointed to investigate the various systems of old-age insurance and pensions or annuities.

CHAPTER 160. Resolve to provide for an investigation relative to retirement systems for State and county employees.

#### *Wages and Earnings.*

CHAPTER 350. Relative to the payment of wages to discharged employees.

CHAPTER 563. To regulate the assignment of future earnings.

#### *Miscellaneous Acts.*

CHAPTER 83. Relative to the annual report of the director of the bureau of statistics on the statistics of labor.

CHAPTER 134. To create the Massachusetts commission on the cost of living.

CHAPTER 268. To provide for the annual preparation and printing of lists of State officials and employees with their salaries or compensation.

CHAPTER 282. Relative to the appointees of the board of education.

CHAPTER 359. Relative to appointment and employment in the public service in violation of the civil service law or rules.

CHAPTER 414. Relative to making goods for the use of public institutions by the labor of prisoners.

CHAPTER 444. Relative to the police departments of the city of Chelsea and the town of Revere.

CHAPTER 445. To regulate advertisements and solicitations for employees during strikes, lockouts or other labor disputes.

CHAPTER 473. To provide that the twelfth day of October shall be a legal holiday and shall be called Columbus Day.

CHAPTER 524. To provide for compulsory instruction in thrift in the public schools.

CHAPTER 526. Relative to the enticing or persuading of seamen to desert or leave their vessels.

CHAPTER 567. Relative to the transportation by street and elevated railway companies of pupils of industrial schools.

CHAPTER 597. Relative to the supervision of the business of plumbing.

CHAPTER 133. Resolve to provide for an investigation and report relative to the establishment of a system of agricultural schools.

CHAPTER 141. Resolve to provide for an investigation by the commissioner of weights and measures as to the sale at retail of coal and food products.

CHAPTER 142. Resolve to provide for printing additional copies of the report of the Massachusetts commission on the cost of living.

CHAPTER 146. Resolve to provide for an investigation of employment and intelligence offices.

In the following presentation the amendments to former acts are printed in italics and the old matter omitted is enclosed in brackets.

## ACTS.

### CHAPTER 83.

AN ACT RELATIVE TO THE ANNUAL REPORT OF THE DIRECTOR OF THE BUREAU OF STATISTICS ON THE STATISTICS OF LABOR.

SECTION 1. Section three of chapter three hundred and seventy-one of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "Of the report on the statistics of labor, three thousand copies, of which two thousand shall be for the use of the bureau", in the seventeenth, eighteenth and nineteenth lines, and inserting in place thereof the words:—Of the report on the statistics of labor, three thousand *five hundred* copies, of which two thousand *five hundred* shall be for the use of the bureau.

SECTION 2. This act shall take effect upon its passage. [*Approved February 14, 1910.*]

### CHAPTER 134.

AN ACT TO CREATE THE MASSACHUSETTS COMMISSION ON THE COST OF LIVING.

SECTION 1. A commission, which shall be known as the Massachusetts Commission on the Cost of Living, is hereby created to investigate thoroughly the cost of living in this commonwealth. The commission shall report its findings and recommendations to the general court not later than the first day of May in the year nineteen hundred and ten.

SECTION 2. It shall be the duty of said commission to inquire into the causes of the increased prices of the necessities of life, as compared with wages and income, and to inquire into the direct and indirect effect of our present tariff laws upon wages, income and cost of living.

SECTION 3. The members of the said commission shall be chosen with a view to their special knowledge of law, trade, labor and political economy, and shall consist of five persons to be appointed by the governor with the consent of the council.

SECTION 4. The commission shall have power to compel the attendance of witnesses and the production of books and papers, and shall, with the approval of the governor and council, have the right to travel. The commission may employ such clerical assistance as it deems necessary. The governor and council shall determine what compensation, if any, members of the commission shall receive.

SECTION 5. A sum not exceeding fifteen thousand dollars may be expended in carrying out the provisions of this act.

SECTION 6. This act shall take effect upon its passage. [*Approved February 28, 1910.*]

## CHAPTER 166.

## AN ACT RELATIVE TO GIVING NOTICES OF INJURIES.

SECTION 2. Section one hundred and thirty-two of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out the semi-colon and the word "but", in the eighth line, and inserting a period and the words:— If the person injured dies within the time required for giving the notice his executor or administrator may give such notice within sixty days after his appointment,— by changing the first letter in the word "if", in the ninth line, to a capital, and by striking out the comma in the ninth line, and all after the word "dies", in the twelfth line, and ending with the comma following the word "it", in the fifteenth line, and inserting in place thereof the words:— within said ten days,— so as to read as follows:— *Section 132.* No action for the recovery of damages for injury or death under the provisions of the five preceding sections shall be maintained unless notice of the time, place and cause of the injury is given to the employer within sixty days, and the action is commenced within one year, after the accident which causes the injury or death. Such notice shall be in writing, signed by the person injured or by a person in his behalf [; but]. *If the person injured dies within the time required for giving the notice his executor or administrator may give such notice within sixty days after his appointment.* If from physical or mental incapacity it is impossible for the person injured to give the notice within the time provided in this section, he may give it within ten days after such incapacity has been removed, and if he dies [without having given notice and without having been for ten days at any time after his injury of sufficient capacity to give it,] *within said ten days* his executor or administrator may give such notice within sixty days after his appointment. A notice given under the provisions of this section shall not be held invalid or insufficient solely by reason of an inaccuracy in stating the time, place or cause of the injury if it is shown that there was no intention to mislead, and that the employer was not in fact misled thereby.

SECTION 3. This act shall take effect upon its passage. [*Approved March 4, 1910.*]

## CHAPTER 196.

## AN ACT TO PROVIDE FOR THE RETIREMENT OF MEMBERS OF THE FIRE DEPARTMENT OF THE CITY OF NEW BEDFORD.

SECTION 1. The board of fire engineers of the city of New Bedford, with the approval of the mayor, may retire from active service and place upon a pension roll any permanent member of the fire department of that city, who, by injuries sustained through no fault of his and in the actual performance of his duty, has become permanently disabled, mentally or physically, from useful service in the department, and may retire from active service and place upon a pension roll any permanent member of said department who has performed faithful service therein for a period of not less than twenty consecutive years and who has reached the age of sixty years, if, in the judgment of said board, such member is disabled from useful service in the department: provided, however, that no member of said department shall be retired for permanent total disability except upon the certificate of the city physician, which certificate shall be filed with the records of the board. Every person retired under the provisions of this act shall annually receive as a pension a sum equal to one half of the annual compensation received by him at the time of

his retirement, the said amount to be paid by the city, which shall provide money therefor.

SECTION 2. This act shall take effect when accepted by the city council of the city of New Bedford. [*Approved March 11, 1910.*]

## CHAPTER 249.

### AN ACT RELATIVE TO THE FORGING OF BIRTH CERTIFICATES.

Section sixty-one of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by adding at the end thereof the words:—and whoever forges, or procures to be forged, or assists in forging a certificate of birth of such minor, and whoever presents or assists in presenting a forged certificate of birth, to a school committee or to the person authorized by law to receive certificates, for the purpose of fraudulently obtaining the school certificate mentioned in section sixty, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than one year, or by both such fine and imprisonment,—so as to read as follows:—*Section 61.* Whoever employs a minor under the age of sixteen years, and whoever procures or, having under his control a minor under such age, permits, such minor to be employed in violation of the provisions of sections fifty-six and fifty-seven of this act, shall for each offence be punished by a fine of not more than three hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment; and whoever continues to employ a minor in violation of the provisions of either of said sections, after being notified thereof by a truant officer or by an inspector of factories and public buildings, shall for every day thereafter while such employment continues be punished by a fine of not less than twenty nor more than one hundred dollars, or by imprisonment for not more than six months; *and whoever forges, or procures to be forged, or assists in forging a certificate of birth of such minor, and whoever presents or assists in presenting a forged certificate of birth, to a school committee or to the person authorized by law to receive certificates, for the purpose of fraudulently obtaining the school certificate mentioned in section sixty, shall be punished by a fine of not less than one hundred nor more than five hundred dollars, or by imprisonment for not less than three months nor more than one year, or by both such fine and imprisonment.* [*Approved March 18, 1910.*]

## CHAPTER 257.

### AN ACT TO PROVIDE FOR MEDICAL INSPECTION OF WORKING CHILDREN BETWEEN THE AGES OF FOURTEEN AND SIXTEEN.

SECTION 1. Section one of chapter five hundred and two of the acts of the year nineteen hundred and six is hereby amended by inserting after the word “act”, in the sixth line, the words:—and shall assign one or more to perform the duty of examining children who apply for health certificates in accordance with this act,—so as to read as follows:—*Section 1.* The school committee of every city and town in the commonwealth shall appoint one or more school physicians, shall assign one to each public school within its city or town, and shall provide them with all proper facilities for the performance of their duties as prescribed in this act; *and shall assign one or more to perform the duty of examining children who apply for health certificates in accordance with this act:* provided, however, that in cities wherein the board of health is already maintaining or shall hereafter maintain substantially such medical inspection as this act requires, the board of health shall appoint and assign the school physician.

SECTION 2. Section two of said chapter five hundred and two is hereby amended by adding at the end thereof the words:— Every school physician who is assigned to perform the duty of examining children who apply for health certificates shall make a prompt examination of every child who wishes to obtain an age and schooling certificate, as provided in section sixty of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, and who presents to said physician an employment ticket, as provided in said section, and the physician shall certify in writing whether or not in his opinion such child is in sufficiently sound health and physically able to perform the work which the child intends to do,— so as to read as follows:— *Section 2. Every school physician shall make a prompt examination and diagnosis of all children referred to him as hereinafter provided, and such further examination of teachers, janitors and school buildings as in his opinion the protection of the health of the pupils may require. Every school physician who is assigned to perform the duty of examining children who apply for health certificates shall make a prompt examination of every child who wishes to obtain an age and schooling certificate, as provided in section sixty of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, and who presents to said physician an employment ticket, as provided in said section, and the physician shall certify in writing whether or not in his opinion such child is in sufficiently sound health and physically able to perform the work which the child intends to do.*

SECTION 3. Section fifty-eight of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by inserting after the word “language”, in the twelfth and thirteenth lines, the words:— nor until such person has received a certificate signed by a physician, as provided in chapter five hundred and two of the acts of the year nineteen hundred and six and acts passed in amendment thereof, or by a physician appointed by the school committee, stating that said minor has been examined by him and in his opinion is in sufficiently sound health and physically able to perform the work which the minor intends to do: provided, however, that the age and schooling certificate may be approved and issued without a physician's certificate if there shall be on file in connection with the public schools a written record in regard to the child's physical condition made within one year and the person authorized to approve said age and schooling certificate after having examined such record shall certify that in his opinion said minor is in sufficiently sound health and physically able to perform the work which the minor intends to do,— so as to read as follows:— *Section 58. An age and schooling certificate shall be approved only by the superintendent of schools or by a person authorized by him in writing, or, if there is no superintendent of schools, by a person authorized by the school committee; but no member of a school committee or other person authorized as aforesaid shall approve such certificate for any minor then in or about to enter his own employment or the employment of a firm or corporation of which he is a member, officer or employee. No such certificate shall be approved by any person unless he is satisfied that the minor therein named is able to read at sight and to write legibly simple sentences in the English language, nor until such person has received a certificate signed by a physician, as provided in chapter five hundred and two of the acts of the year nineteen hundred and six and acts passed in amendment thereof, or by a physician appointed by the school committee, stating that said minor has been examined by him and in his opinion is in sufficiently sound health and physically able to perform the work which the minor intends to do: provided, however, that the age and schooling certificate may be approved and issued without a physician's certificate if there shall be on file in connection with the public schools a written record in regard to the*

*child's physical condition made within one year and the person authorized to approve said age and schooling certificate after having examined such record shall certify that in his opinion said minor is in sufficiently sound health and physically able to perform the work which the minor intends to do. The person who approves the certificate may administer the oath provided for therein, but no fee shall be charged therefor.*

SECTION 4. The age and schooling certificate set forth in section sixty of said chapter five hundred and fourteen is hereby amended by inserting after the word "language", in the thirty-eighth line, the words:— I further certify that in my opinion (or in the opinion of                      the physician by whom said minor has been examined in accordance with section fifty-eight of the above chapter) he (or she) is in sufficiently sound health and physically able to perform the work which he (or she) intends to do,—so that the said certificate will read as follows:—

AGE AND SCHOOLING CERTIFICATE, ST. 1909, C.     , §     .

This certifies that I am the [father, mother, guardian or custodian] of [name of minor], and that [he or she] was born at [name of city or town], in the county of [name of county, if known], and state [or country] of                      , on the [day and year of birth], and is now [number of years and months] old.

[Signature of father, mother, guardian, or custodian.]

[City or town and date.]

Then personally appeared before me the above named [name of person signing], and made oath that the foregoing certificate by [him or her] signed is true to the best of [his or her] knowledge and belief. I hereby approve the foregoing certificate of [name of minor], height [feet and inches], complexion [fair or dark], hair [color], having no sufficient reason to doubt that [he or she] is of the age therein certified. I hereby certify and am satisfied that [he or she] can read at sight and can write legibly simple sentences in the English language. *I further certify that in my opinion [or in the opinion of                      , the physician by whom said minor has been examined in accordance with section fifty-eight of the above chapter] he [or she] is in sufficiently sound health and physically able to perform the work he [or she] intends to do.*

This certificate belongs to [name of minor in whose behalf it is drawn], and is to be surrendered to [him or her] whenever [he or she] leaves the service of the corporation or employer holding the same; but if not claimed by said minor within thirty days after such time, it shall be returned to the superintendent of schools, or, if there is no superintendent of schools, to the school committee.

[Signature of person authorized to approve and sign,                      with official character or authority.]

[City or town and date.]

In the case of a minor who cannot read at sight and write legibly simple sentences in the English language, the certificate shall continue as follows, after the word "language" :—

I hereby certify that [he or she] is regularly attending the [name] public evening school. This certificate shall continue in force only so long as the regular attendance of said minor at the evening school is endorsed weekly by a teacher thereof.

SECTION 5. This act shall take effect on the first day of August in the year nineteen hundred and ten. [Approved March 19, 1910.]

## CHAPTER 259.

## AN ACT RELATIVE TO SANITARY PROVISIONS FOR FACTORIES AND WORKSHOPS.

SECTION 1. Section eighty of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "the inspection department of the district police", in the fourth and fifth lines, and inserting in place thereof the words:— a state inspector of health,— so as to read as follows:— *Section 80.* The owner, lessee or occupant of any premises which are used as described in the preceding section shall make the changes necessary to conform thereto. If such changes are made upon the order of [the inspection department of the district police] *a state inspector of health*, by the occupant or lessee of the premises, he may, within thirty days after the completion thereof bring an action against any other person who has an interest in such premises, and may recover such proportion of the expense of making such changes as the court adjudges should justly and equitably be borne by the defendant.

SECTION 2. Section eighty-two of said chapter five hundred and fourteen is hereby amended by striking out the words "the inspection department of the district police", in the fourth and fifth lines, and inserting in place thereof the words:— a state inspector of health,— so as to read as follows:— *Section 82.* A criminal prosecution shall not be instituted against a person for a violation of the provisions of sections seventy-nine and eighty until four weeks after notice in writing by [the inspection department of the district police] *a state inspector of health*, of the changes necessary to be made to comply with the provisions of said sections has been sent by mail or delivered to such person, nor if such changes shall have been made in accordance with such notice. A notice shall be sufficient under the provisions of this section if given to one member of a firm, or to the clerk, cashier, secretary, agent or any other officer who has charge of the business of a corporation, or to its attorney; and in case of a foreign corporation, to the officer who has the charge of such factory or workshop; and such officer shall be personally liable for the amount of any fine if a judgment against the corporation is returned unsatisfied. [*Approved March 22, 1910.*]

## CHAPTER 268.

## AN ACT TO PROVIDE FOR THE ANNUAL PREPARATION AND PRINTING OF LISTS OF STATE OFFICIALS AND EMPLOYEES WITH THEIR SALARIES OR COMPENSATION.

SECTION 1. Every department, commission, bureau or board of the Commonwealth, shall, on or before the fifteenth day of July in the year nineteen hundred and ten, and on or before the fifteenth day of July in every year thereafter, prepare and furnish to the governor and council lists of all the officials and employees of the Commonwealth employed in or by such department, commission, bureau or board on the first day of July preceding, for whose services money has been paid from the treasury of the Commonwealth. The said lists shall be arranged by divisions of the several departments, commissions, bureaus or boards, when such divisions exist, and shall give the name, residence, designation, rate of compensation and the date of election or appointment of every such official and employee, and any increase in the rate of salary or compensation for the year preceding; and also the aggregate amount of all money paid for services or salaries to any official or employee, not otherwise shown upon the list, for the year beginning with the first day of July in the year preceding that in which the list is prepared. It shall be the duty of the auditor of the Commonwealth to verify the said lists, the compensation and the said aggregate amounts from the pay roll. The said lists and aggregate amounts shall

be printed at the expense of the Commonwealth as a document of the Commonwealth, before the first day of October in the year in which they are furnished, and the said document shall contain the complete data and facts called for by this act.

SECTION 2. This act shall take effect upon its passage. [*Approved March 22, 1910.*]

## CHAPTER 282.

### AN ACT RELATIVE TO THE APPOINTEES OF THE BOARD OF EDUCATION.

SECTION 1. Chapter four hundred and fifty-seven of the acts of the year nineteen hundred and nine is hereby amended by striking out section three and inserting in place thereof the following: — *Section 3.* The board shall appoint a commissioner of education, whose term of office shall be five years, and may fix his salary at such sum as the governor and council shall approve. Said commissioner may at any time be removed from office by a vote of six members of the board. He shall exercise all the powers and be subject to all the duties now conferred or imposed by law on the secretary of the board of education. He shall be the executive officer of the board, shall have supervision of all educational work supported in whole or in part by the Commonwealth, and shall report thereon to the board. He shall be allowed for travelling expenses a sum not exceeding fifteen hundred dollars per annum. The board shall also appoint two deputy commissioners, at equal salaries, one of whom shall be especially qualified to deal with industrial education. The powers, duties, salaries and terms of office of said deputy commissioners shall be such as may be established from time to time by the board, but the board may, by a vote of six members thereof, remove from office at any time either of said deputy commissioners. The total expense for salaries incurred under this section, together with the salaries of such other assistants or agents, and the cost of such clerical and messenger service as may be necessary, shall not exceed forty thousand dollars annually [and the allowance for travelling expenses shall not exceed five thousand dollars annually, exclusive of the necessary travelling expenses of members of the board incurred in the performance of the duties of their office]. *The board may be allowed for rent, travelling and other necessary expenses of the commissioner, the deputies, agents, and of the board, incurred in the performance of their official duties, such sum as shall be appropriated by the General Court annually, payable out of the treasury of the Commonwealth.*

SECTION 2. This act shall take effect upon its passage. [*Approved March 25, 1910.*]

## CHAPTER 284.

### AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION, INSPECTION AND MAINTENANCE OF BUILDINGS IN THE CITY OF BOSTON.

SECTION 1. It shall be the duty of the building commissioner of the city of Boston to enforce all provisions of law relative to the construction, alteration, inspection and maintenance of buildings which are or may be applicable to said city, heretofore enforced by the district police, except the provisions of chapter four hundred and sixty-five of the acts of the year nineteen hundred and seven, relative to the inspection of steam boilers, the provisions of chapter three hundred and seventy of the acts of the year nineteen hundred and four, as amended by chapter two hundred and eighty of the acts of the year nineteen hundred and five and by chapter five hundred and two of the acts of the year nineteen hundred and eight, relative to the keeping, storage, use, manufacture, sale, handling and transportation of explosive or inflammable fluids or compounds or other explosives, the provisions of chapter four hundred and thirty-three of the acts of the year nineteen hundred

and four, relative to the powers and duties of the detective department of the district police in connection with the investigation or prevention of fires, and the provisions of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, and acts in amendment thereof or in addition thereto, relative to labor, so far as the provisions of said chapter are enforced by the district police.

SECTION 2. All acts and parts of acts inconsistent herewith are hereby repealed.  
SECTION 3. This act shall take effect upon its passage. [*Approved March 25, 1910.*]

CHAPTER 295.

AN ACT RELATIVE TO THE MASSACHUSETTS POLICE MUTUAL AID ASSOCIATION.

SECTION 1. Section two of chapter two hundred and forty-six of the acts of the year nineteen hundred and five is hereby amended by striking out the words "Persons who are members of the police department of some city or town", in the first and second lines, and inserting in place thereof the words: — Any police officer, — so as to read as follows:—*Section 2.* [Persons who are members of the police department of some city or town] *Any police officer* in the Commonwealth, excluding the city of Boston, and such persons only, shall be eligible to membership in the corporation hereby created.

SECTION 2. This act shall take effect upon its passage. [*Approved March 26, 1910.*]

CHAPTER 349.

AN ACT RELATIVE TO THE CONSTRUCTION, ALTERATION, REPAIR, MAINTENANCE AND USE OF BUILDINGS IN THE CITY OF SPRINGFIELD.

SECTION 1. The city council of the city of Springfield may establish for that city a building department, which shall be under the supervision of a commissioner, who shall be appointed by the mayor, and may be removed for cause by him. The said commissioner shall be inspector of buildings under chapter one hundred and four of the Revised Laws. The city council may prescribe by ordinance his qualifications, duties, term of office and compensation, and may regulate all other matters incident or relating to his office, and may also create the office of deputy commissioner and may regulate all matters in relation thereto. . . .

. . . . .  
SECTION 3. The city council, in providing for said building department, may by ordinance prescribe and regulate the height, location and character of construction, alteration and repair of buildings within any or all parts of the city, may create districts therein with regulations applicable to each district, may determine the proceedings to be taken with relation to the issue of permits for such construction, alteration and repairs, may prescribe and regulate the means of ingress and egress of the said buildings, the devices and precautions for safety to be used in the construction, alteration and repair of the same and the powers and duties of said commissioner in relation to the aforesaid matters and to all other matters affecting said building department.

. . . . .  
SECTION 9. Nothing herein contained shall impair or limit the powers and duties conferred and imposed by law upon the district police, nor apply to buildings or structures owned or occupied by the United States of America or by the Commonwealth of Massachusetts, or to bridges, quays or wharves.

[*Approved April 6, 1910.*]

## CHAPTER 350.

## AN ACT RELATIVE TO THE PAYMENT OF WAGES TO DISCHARGED EMPLOYEES.

Section one hundred and twelve of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "or being discharged from such employment", in the thirteenth line, and by inserting after the words "pay day", in the fourteenth line, the words:— and any employee discharged from such employment shall be paid in full on the day of his discharge, or in the city of Boston as soon as the provisions of law requiring pay rolls, bills and accounts to be certified shall have been complied with,— so as to read as follows:— *Section 112.* Every manufacturing, mining, or quarrying, mercantile, railroad, street railway, telegraph or telephone corporation, every incorporated express company or water company, and every contractor, person or partnership engaged in any manufacturing business, in any of the building trades, in quarries or mines, upon public works or in the construction or repair of railroads, street railways, roads, bridges or sewers, or of gas, water or electric light works, pipes or lines, shall pay weekly each employee engaged in his or its business the wages earned by him to within six days of the date of said payment, but any employee leaving his or her employment, [or being discharged from such employment] shall be paid in full on the following regular pay day; *and any employee discharged from such employment shall be paid in full on the day of his discharge, or in the city of Boston as soon as the provisions of law requiring pay rolls, bills and accounts to be certified shall have been complied with;* and the Commonwealth, its officers, boards and commissions shall so pay every mechanic, workman and laborer who is employed by it or them, and every person employed by it or them in any penal or charitable institution, and every county and city shall so pay every employee who is engaged in its business the wages or salary earned by him, unless such mechanic, workman, laborer or employee requests in writing to be paid in a different manner; and every town shall so pay each employee in its business if so required by him; but an employee who is absent from his regular place of labor at a time fixed for payment shall be paid thereafter on demand. The provisions of this section shall not apply to an employee of a co-operative corporation or association if he is a stockholder therein unless he requests such corporation to pay him weekly. The board of railroad commissioners, after a hearing, may exempt any railroad corporation from paying weekly any of its employees if it appears to the board that such employees prefer less frequent payments, and that their interests and the interest of the public will not suffer thereby. No corporation, contractor, person or partnership shall by a special contract with an employee or by any other means exempt himself or itself from the provisions of this and the following section. Whoever violates the provisions of this section shall be punished by a fine of not less than ten nor more than fifty dollars. [*Approved April 6, 1910.*]

## CHAPTER 359.

## AN ACT RELATIVE TO APPOINTMENT AND EMPLOYMENT IN THE PUBLIC SERVICE IN VIOLATION OF THE CIVIL SERVICE LAW OR RULES.

Chapter nineteen of the Revised Laws is hereby amended by striking out section thirty-four and inserting in place thereof the following:— *Section 34.* If, in the opinion of the civil service [commissioners] *commission*, a person is appointed or employed in the public service classified under civil service rules, in violation of [any of such rules] *the civil service law, or of the said rules*, the [commissioners]

*commission shall, after written notice mailed to the appointing or employing officer or officers, and to such person, notify in writing the treasurer, auditor or other disbursing officer of the Commonwealth, city or town, in whose service or by which such person is so employed or paid; and the payment of any salary or compensation to such person shall be illegal and shall cease at the expiration of one week after the mailing of the latter notice, and until the legality of such appointment or employment is duly established. [The attorney general may, within thirty days after said notice to such treasurer, auditor or other disbursing officer, file in the superior court, sitting in equity for the county in which such appointee or employee was appointed or employed, an information in the nature of a quo warranto against such appointee or employee, and the superior court or any justice thereof shall have jurisdiction to hear and determine the same.] It shall be unlawful for the treasurer, auditor or other disbursing officer of the Commonwealth, or of such city or town to draw, sign or issue, or to authorize the drawing, signing, or issuing of any warrant, or to make payment of any salary or compensation to the person so found by the civil service commission to be illegally appointed or employed. Any person so found by the civil service commission to be illegally appointed or employed may file a petition for a writ of mandamus in the superior or supreme judicial court to compel the civil service commission to authorize such appointment, or employment, and the payment of compensation or salary therefor. At any time after the [beginning of such proceedings] filing of such petition the court [may], if it is of opinion that there is reasonable doubt whether the appointment or employment of such person is in violation of [such] the civil service law or rules, may order that the compensation accruing to such person [notified] shall be paid to him until otherwise ordered by said court. [If the attorney general shall fail within said thirty days to file such information, the said notice shall be regarded as null and void.] [Approved April 8, 1910.*

#### CHAPTER 404.

#### AN ACT RELATIVE TO THE EMPLOYMENT IN DANGEROUS TRADES OF MINORS UNDER THE AGE OF EIGHTEEN YEARS.

Chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by striking out section seventy-five and inserting in place thereof the following: — *Section 75. The state board of health [shall] may from time to time upon the written application of any citizen of the Commonwealth, or upon its own initiative, [determine] after such investigation as it considers necessary determine whether or not [the manufacture of a particular acid] any particular trade, process of manufacture or occupation, or any particular method of carrying on such trade, process of manufacture or occupation, is [dangerous or] sufficiently injurious to the health of minors under eighteen years of age employed therein to justify their exclusion therefrom, and [its] every decision so rendered shall be conclusive evidence [thereof] of the facts involved therein, except so far as the same may later be revoked or modified by a subsequent decision of the board. Whoever, after being notified that the state board of health has determined that a particular trade, process of manufacture, occupation or method is injurious as above stated, employ [a child in the manufacture of an acid after the state board of health has determined that such manufacture is dangerous or injurious to his health] therein a minor under eighteen years of age shall be punished by a fine of [one hundred dollars] not more than two hundred dollars and not less than fifty dollars for each offence, unless prior to the time of such employment such determination shall have been revoked or modified so as not to include the employment complained of.* [Approved April 16, 1910.

## CHAPTER 405.

## AN ACT RELATIVE TO THE DUTIES OF INSPECTORS OF HEALTH, AND TO THE STATE BOARD OF HEALTH.

SECTION 1. The state inspectors of health, in addition to the duties provided for by chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven, shall annually make such examination of police station houses, lock-ups and houses of detention as in the opinion of the state board of health may be necessary to ascertain the sanitary condition of such houses and lock-ups.

SECTION 2. The state board of health shall make rules for police station houses, lock-ups and houses of detention, regarding the care and use of drinking cups and of dishes used for food; the care and use of bedding, and the ventilation of the buildings. Such rules may be general, or may be applicable to a single station house, house of detention or lock-up; and a copy thereof shall be sent by said board to the mayor of every city and to the selectmen of every town to which the rules apply. It shall be the duty of the mayors of cities and the selectmen of towns to which the rules so made apply to see that the rules are enforced.

SECTION 3. No station house, house of detention or lock-up shall be built hereafter until the state board of health has approved in writing the plans, provisions for lighting, heating and ventilation and the disposal of sewage, and the dimensions and form of construction of the cells.

SECTION 4. In order to carry out the provisions of this act there may be expended from the treasury of the Commonwealth, annually, a sum not exceeding eight hundred dollars in addition to the five thousand dollars authorized by section seven of chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven.

SECTION 5. This act shall take effect upon its passage. [*Approved April 16, 1910.*]

## CHAPTER 414.

## AN ACT RELATIVE TO MAKING GOODS FOR THE USE OF PUBLIC INSTITUTIONS BY THE LABOR OF PRISONERS.

SECTION 1. For the purpose of determining the styles, designs and qualities of articles and materials to be made by the labor of prisoners for use in the public institutions in accordance with section forty-five of chapter two hundred and twenty-five of the Revised Laws, the superintendents of institutions for the insane, the superintendents of other charitable institutions, and the officers in charge of penal and reformatory institutions, respectively, shall hold meetings annually in October. The day and place of each of said meetings shall be assigned by the prison commissioners who shall give to the officers concerned at least ten days' notice thereof. If a superintendent or officer in charge is unable to be present at a meeting he may delegate one of his assistants to attend in his behalf. Each meeting shall organize by the choice of a chairman and clerk; and within one week after the meeting, these officers shall formally notify the prison commissioners of the styles, designs and qualities adopted by the meeting for use in each class of institutions. The expense of attending any of said meetings shall be repaid to the respective officers in the same way as other travelling expenses are paid; and any other expense of the meetings shall be paid from the Prison Industries Fund upon the approval of the prison commissioners.

SECTION 2. In November of each year the prison commissioners shall issue to said superintendents and officers in charge a descriptive list of the styles, designs

and qualities of said articles and materials; and the requisitions named in section fifty-four of chapter two hundred and twenty-five of the Revised Laws shall conform to the said list, unless it appears that the needs of an institution demand a special style, design or quality. Any difference between the prison officials and the institutions in regard to styles, designs and qualities shall be submitted to arbitrators whose decision shall be final. One of said arbitrators shall be named on behalf of the prison by the chairman of the prison commissioners, one by the principal officer of the other institution concerned, and one by agreement of the other two. The arbitrators shall be chosen from the official service and shall receive no compensation for performance of any duty under this act; but their actual and necessary expenses shall be paid by the prison or other institution against which their award is given.

SECTION 3. Annually in December the principal officers of all public institutions included by the terms of section forty-five of chapter two hundred and twenty-five of the Revised Laws, shall send to the prison commissioners an estimate of the quantities of the articles and materials that will be needed for their respective institutions during the ensuing calendar year. Said estimates shall generally observe the styles, designs and qualities named in the descriptive list; and if any special style is desired in considerable quantity, the estimate shall contain a request that the prison commissioners will arrange for the manufacture of such special articles as may be needed.

SECTION 4. The price of all articles and materials supplied by the prisons to the public institutions named in this act shall conform as nearly as may be to the wholesale market rates for similar goods manufactured outside of the prisons. Any difference of opinion in regard to price may be submitted to arbitration in the manner provided in section two of this act.

SECTION 5. In January of each year the prison commissioners shall send to the auditor of the Commonwealth, to the auditing and disbursing officers of the several counties, and to the auditor and treasurer of each city having a population of forty thousand inhabitants, a list of the articles and materials that can be produced by the labor of prisoners for the use of public institutions named in this act. No bill for any such articles or materials purchased for the use of said institutions otherwise than from a prison, or from another institution, shall be allowed or paid unless it is accompanied by a certificate from the prison commissioners showing that a requisition therefor has been made and that the goods cannot be supplied from the prisons.

SECTION 6. Section fifty-five of chapter two hundred and twenty-five of the Revised Laws and all acts and parts of acts inconsistent herewith are hereby repealed<sup>1</sup>; and nothing in section thirty of chapter four hundred and eighty-six of the acts of the year nineteen hundred and nine, relative to the administration of the city of Boston, shall affect the purchase from the prisons of such articles and materials as may be needed by the public institutions of that city. [*Approved April 16, 1910.*]

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<sup>1</sup> Section 55 of chapter 225, Revised Laws, repealed by this act read as follows:

SECTION 55. The auditor of the Commonwealth, the controller of county accounts and the chairman of the board of prison commissioners shall constitute a board to determine the prices of articles or materials manufactured and sold under the provisions of sections forty-five and fifty-four. The prices shall be uniform and shall conform as nearly as may be to the usual market price of like goods manufactured elsewhere. The members of the board shall receive no compensation for such services, but the actual and necessary expenses incurred by them in the performance of such services shall be paid from the appropriation for the incidental and contingent expenses of the prison commissioners.

## CHAPTER 419.

## AN ACT RELATIVE TO THE LICENSING OF MINORS TO ENGAGE IN CERTAIN OCCUPATIONS IN CITIES.

Section seventeen of chapter sixty-five of the Revised Laws, as amended by chapter five hundred and thirty-one of the acts of the year nineteen hundred and two, and by chapter one hundred and fifty-one of the acts of the year nineteen hundred and six, is hereby further amended by adding the following sentences at the end of said section:— Any person who, having a minor under his control, knowingly permits him to violate the provisions of this act, and any person who procures or employs a minor to violate the provisions of this act, and any person who either for himself or as agent of any other person or of any corporation knowingly furnishes or sells to any minor any of the articles above referred to with knowledge that said minor intends to sell said articles in violation of the provisions of this act, and after having received written notice from the school committee that the minor is unlicensed, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months. Truant and police officers shall enforce the provisions of this chapter,— so as to read as follows:— *Section 17.* The mayor and aldermen or selectmen may make regulations relative to the exercise of the trade of bootblacking by minors and to the sale by minors of any goods, wares or merchandise the sale of which is permitted by section fifteen, and may prohibit such sales or such trade, or may require a minor to obtain from them a license therefor to be issued on terms and conditions prescribed in such regulations: provided, that in the case of persons under the age of fourteen years in the cities of the Commonwealth the foregoing powers shall be vested in and exercised by the school committees of said cities. A minor who sells such articles or exercises such trade without a license if one is required or who violates the conditions of his license or any of the provisions of said regulations shall be punished by a fine of not more than ten dollars for each offense. *Any person who, having a minor under his control, knowingly permits him to violate the provisions of this act, and any person who procures or employs a minor to violate the provisions of this act, and any person who either for himself or as agent of any other person or of any corporation knowingly furnishes or sells to any minor any of the articles above referred to with knowledge that said minor intends to sell said articles in violation of the provisions of this act, and after having received written notice from the school committee that the minor is unlicensed, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months. Truant and police officers shall enforce the provisions of this chapter.* [Approved April 21, 1910.

## CHAPTER 444.

## AN ACT RELATIVE TO THE POLICE DEPARTMENTS OF THE CITY OF CHELSEA AND THE TOWN OF REVERE.

SECTION 1. Subject to the provisions of this act, members of the regular police force of the city of Chelsea and the police force of the town of Revere may be relieved of police duties, without loss of pay, once in each fifteen days, for a period of not less than twenty-four consecutive hours, except for the time required to answer at roll call immediately before the beginning or immediately after the end of a tour of duty. The time and the manner of such relief shall be determined in each instance by the chief of police of the said city and town, respectively. A member so relieved shall be exempt for the time from actual police service and from presence

for duty, but otherwise shall be subject during such relief to all laws, rules, orders and regulations for the government of the force which may be in effect from time to time. Should the exigencies of the service, in the judgment of the chief of police of the said city or town, require at any time that a member of the force should be deprived of his period of relief or that it should be curtailed, the time so lost shall be made up to him as soon thereafter as may be practicable.

SECTION 2. This act shall be submitted to the qualified voters of the city of Chelsea and of the town of Revere at the state election in the year nineteen hundred and ten, and shall take effect in said city if accepted by a majority of the voters of the city voting thereon and in said town if accepted by a majority of the voters of the town voting thereon.

SECTION 3. So much of this act as authorizes its submission to the voters of said city and town shall take effect upon its passage, but it shall not further take effect unless accepted by the voters of said city or town or both, and if so accepted shall take effect on the first day of January, nineteen hundred and eleven. [*Approved April 25, 1910.*]

#### CHAPTER 445.

##### AN ACT TO REGULATE ADVERTISEMENTS AND SOLICITATIONS FOR EMPLOYEES DURING STRIKES, LOCKOUTS OR OTHER LABOR DISPUTES.

SECTION 1. If an employer, during the continuance of a strike among his employees, or during the continuance of a lockout or other labor trouble among his employees, publicly advertises in newspapers, or by posters or otherwise, for employees, or by himself or his agents solicits persons to work for him to fill the places of strikers he shall plainly and explicitly mention in such advertisements or oral or written solicitations that a strike, lockout or other labor disturbance exists.

SECTION 2. If any person, firm, association or corporation violates any provision of this act, he or it shall be punished by a fine not exceeding one hundred dollars for each offence. [*Approved April 25, 1910.*]

#### CHAPTER 459.

##### AN ACT RELATIVE TO THE RETIREMENT OF VETERANS IN THE SERVICE OF THE COUNTIES OF THE COMMONWEALTH.

SECTION 1. Chapter three hundred and ninety-eight of the acts of the year nineteen hundred and nine is hereby amended by striking out the words "as clerk of any court", in the second line, and by inserting after the word "service", in the sixth line, the words: — but not to exceed eight hundred dollars a year, — so as to read as follows: — A veteran of the civil war in the service of any county, [as clerk of any court] if incapacitated for active duty, may be retired from active service by the commissioners of the county in which he is employed, with the consent of the governor, at one half the rate of compensation paid to him when in active service, *but not to exceed eight hundred dollars a year*, to be paid out of the treasury of the county: provided, that no veteran shall be entitled to be retired under the provisions of this act unless he shall have been in the service of the county at least ten years and shall have arrived at the age of sixty-five. But, if, in the opinion of the governor and council, any veteran of the civil war in said service is incapacitated to such a degree as to render his retirement necessary for the good of the service, he may so be retired at any time.

SECTION 2. This act shall take effect upon its passage. [*Approved April 28, 1910.*]

## CHAPTER 473.

AN ACT TO PROVIDE THAT THE TWELFTH DAY OF OCTOBER SHALL BE A LEGAL HOLIDAY  
AND SHALL BE CALLED COLUMBUS DAY.

SECTION 1. To commemorate the discovery of America by Christopher Columbus the twelfth day of October shall hereafter be a legal holiday and shall be known as Columbus day.

SECTION 2. This act shall take effect upon its passage. [*Approved April 29, 1910.*]

## CHAPTER 493.

AN ACT RELATIVE TO THE ISSUING OF POLICIES INSURING AGAINST ACCIDENTAL  
BODILY INJURY OR DISEASE.

SECTION 1. No policy of insurance against loss or damage from disease or by the bodily injury or death by accident of the assured shall be issued or delivered in this Commonwealth (a) until a copy of the policy and the table of rates or manual of risks of the company has been filed at least thirty days with the insurance commissioner, unless before the expiration of said thirty days the insurance commissioner shall have approved the policy in writing; nor (b) if the insurance commissioner notifies the company in writing that in his opinion the form of said policy does not comply with the requirements of the laws of this Commonwealth, specifying the reasons for his opinion, provided that upon the petition of the company the opinion of the insurance commissioner shall be subject to review by the supreme judicial court of this Commonwealth; nor (c) shall such policy be so issued or delivered unless every part is plainly printed in type not smaller than long primer or ten point type; nor (d) unless there is printed on the first page thereof and on its filing back in type not smaller than eighteen point or great primer, a brief description of the policy; nor (e) unless the exceptions be printed with the same prominence as the benefits to which such exceptions apply; nor (f) unless it contains in substance the following provisions:

1. A provision that such policy, with a copy of the application therefor, if any, and of such other papers as may be attached to or endorsed thereon shall constitute the whole contract of insurance, except as the same may be affected by any table of rates or classification of risks filed by the company with the insurance commissioner.

2. A provision that no statement made by the applicant for insurance, which statement is not incorporated in or endorsed on the policy issued to such applicant shall avoid the policy or be used in evidence, and that no provision of the charter, constitution or by-laws shall be used in defence of any claims arising under any such policy unless such provisions are incorporated in full in the policy; but this requirement shall not be deemed to apply to the table of rates or manual of classification of risks of any company filed with the insurance commissioner prior to the date of the occurrence of the injury or commencement of the sickness for which indemnity is claimed.

3. A provision that specifies the time within which notice of accident or disability shall be given, which time shall not be less than twenty days from the date of the accident nor less than ten days from the date of the beginning of the disability from sickness upon which the claim is based: provided, however, that in case of accidental death, immediate notice thereof may be required, unless the notice as herein specified may be shown not to have been reasonably possible.

4. A provision that notice of a claim for indemnity shall be deemed sufficient when given to the office or agent of the company specified in the policy.

5. A provision that under every such policy, if a past due premium shall be accepted by the company or by a branch office or by a duly authorized agent of the company in the city, town or county in which the insured shall reside, or by the duly authorized agent of the company who accepted the last premium on the policy, if so authorized at the time of the acceptance of the past due premium, such acceptance shall reinstate the policy in full as to disability resulting from accidental bodily injuries thereafter sustained, but shall only reinstate the policy as to disability from disease beginning more than ten days after the date of such acceptance.

6. A provision that if the insured is injured or contracts disease after having changed his occupation to one classified by the company as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, the company will pay such proportion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits fixed by the company for such more hazardous occupation according to the company's rates and classification of risks filed with the insurance commissioner in this Commonwealth prior to the occurrence of the injury or the commencement of the disease for which indemnity is claimed.

7. A provision that the company will pay the benefits promised within not more than sixty days of the receipt by it of due proofs of death or disability.

8. A provision that the policy may be cancelled at any time by the company by written notice delivered to the insured or mailed to him at his last address as shown by the records of the company and the tender of the company's check for the unearned portion of the premium, but that such cancellation shall be without prejudice to any claim arising on account of disability commencing prior to the date on which the cancellation takes effect.

9. A provision specifying the time within which proofs of claim shall be furnished to the company, which time shall be not less than ninety days from the date of death, dismemberment or loss of sight or from the termination of any other disability.

SECTION 2. No policy insuring against accidental bodily injuries or disease or death from accident shall be issued or delivered in this Commonwealth if it contains in substance any of the following provisions:

1. A provision limiting the time within which an action at law or in equity may be begun to less than two years from the date when the final proof of claim is filed with the company.

2. A provision that shall authorize the deduction of any premium or assessment from any indemnity payable under the terms of the policy, except such premium or assessment as may be due or covered by written order or note at the time of payment of the indemnity.

3. A provision limiting the amount of indemnity to be paid to a sum less than the indemnity as stated in the policy and for which the premium has been paid: provided, however, that if the assured shall carry other insurance covering the hazard without giving written notice to the companies, corporations or associations issuing the policies, then and in that case each company, corporation or association may stipulate that it will be liable only for such proportionate amount of benefits as the indemnity promised bears to the total amount of indemnity in all the policies covering such hazard and for the return of such part of the premium paid as shall exceed the pro rata of the premium for the benefits paid.

SECTION 3. This act shall not apply to or affect fraternal beneficiary associations, societies or orders with representative form of government operating on a lodge system, or those whose members when admitted are residents of this Commonwealth, or the beneficiary certificates or policies issued by them.

SECTION 4. A policy issued in violation of this act shall be valid, but the rights, duties and obligations of all parties thereto shall be governed by the provisions of this act.

SECTION 5. The policies of insurance against accidental injury or disease issued by a company not organized under the laws of this Commonwealth may, when issued in this Commonwealth, contain any provision which the law of the State, Territory or District of the United States under which the company is organized prescribes shall be in such policies; and the policies of insurance against accidental injury or disease of a company organized under the laws of this Commonwealth may, when issued or delivered in any other State, Territory, District or country, contain any provision required by the laws of the State, Territory, District or country in which the same are issued, anything in this act to the contrary, notwithstanding.

SECTION 6. Nothing in this act shall apply to or affect any general or blanket policy of insurance issued to any municipal corporation or department thereof, or to any corporation, co-partnership, association or individual employer, police or fire department, underwriters corps, salvage bureau, or like associations or organizations, where the officers, members or employees or classes or departments thereof are insured against specified accidental bodily injuries or diseases while exposed to the hazards of the occupation or otherwise, for a premium intended to cover the risks of all persons insured under such policy.

SECTION 7. Any company or association to which this act applies, or any officer thereof which issues or delivers in this Commonwealth any accident or health policy or contract in wilful violation of the provisions of this act, shall be punished by a fine of not more than five hundred dollars for each offence, and the insurance commissioner may proceed against the company or association, or its officers or agents in the manner provided in section seven of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven.

SECTION 8. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 9. This act shall take effect on the first day of January in the year nineteen hundred and eleven. [*Approved May 6, 1910.*]

## CHAPTER 523.

### AN ACT RELATIVE TO THE HEALTH DISTRICTS AND TO THE INSPECTORS OF HEALTH OF THE COMMONWEALTH.

SECTION 1. Chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven is hereby amended by striking out section one and inserting in place thereof the following:—*Section 1.* The state board of health shall, as soon as may be after the passage of this act, divide the Commonwealth into not more than fifteen districts, to be known as health districts, *and the board may from time to time modify the district lines* in such manner as it may deem necessary or proper for carrying out the purposes of this act.

SECTION 2. Said chapter five hundred and thirty-seven is hereby further amended by striking out section two and inserting in place thereof the following:—*Section 2.* After the division aforesaid has been made [the governor, with the advice and consent of the council] *the state board of health, whenever it becomes necessary to appoint or to re-appoint a state inspector of health, shall, with the consent of the governor and council, appoint in each health district one practical and discreet person, learned in the science of medicine and hygiene, to be state inspector of health in that district. Every nomination for such office shall be made at least seven days prior to the appointment. [The said state inspectors] A state inspector of health thus appointed shall hold [their offices] his office for a period of five years from the time of [their respective appointments] his appointment, but shall be liable*

to removal from office by the [governor and council] *state board of health* at any time.

SECTION 3. Said chapter five hundred and thirty-seven is hereby further amended by striking out section six and inserting in place thereof the following:—

*Section 6.* [The governor, with the advice and consent of the council] *The state board of health, with the approval of the governor and council, shall from time to time establish the salaries of said state inspectors of health, having regard in each district to the extent of territory, the number of inhabitants, the character of the business there carried on, and the amount of time likely to be required for the proper discharge of the duties. The salaries thus established shall be paid from the treasury of the Commonwealth monthly. [Approved May 13, 1910.*

#### CHAPTER 524.

##### AN ACT TO PROVIDE FOR COMPULSORY INSTRUCTION IN THRIFT IN THE PUBLIC SCHOOLS.

Section one of chapter forty-two of the Revised Laws, relating to the subjects that shall be taught in the public schools, as amended by chapter one hundred and eighty-one of the acts of the year nineteen hundred and eight, is hereby further amended by inserting after the word "ethics", in the twenty-fourth line, the word:—thrift. [*Approved May 13, 1910.*

#### CHAPTER 526.

##### AN ACT RELATIVE TO THE ENTICING OR PERSUADING OF SEAMEN TO DESERT OR LEAVE THEIR VESSELS.

SECTION 1. Sections two and three of chapter sixty-six of the Revised Laws, relative to the enticing or persuading of seamen to desert or leave their vessels, are hereby repealed.<sup>1</sup>

SECTION 2. This act shall take effect upon its passage.

*(The foregoing was laid before the Governor on the ninth day of May, 1910, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)*

#### CHAPTER 543.

##### AN ACT RELATIVE TO REGULATING THE HUMIDITY AND TEMPERATURE OF THE ATMOSPHERE IN TEXTILE FACTORIES.

SECTION 1. In every weaving and spinning department in a textile factory wherein water is introduced for humidifying purposes there shall be provided, maintained and kept in correct working order, for the purpose of recording and regulating the humidity of the atmosphere and the temperature, at least one set of standardized wet and dry bulb thermometers, and, if required by a state inspector of health, two sets of such thermometers, and the following regulations shall be observed in the use of the thermometers: (a) The thermometers shall be placed as directed or sanctioned by a state inspector of health, and shall be plainly visible to

<sup>1</sup> Sections 2 and 3 of Chapter 66, Revised Laws, repealed by this act, read as follows:

SECTION 2. Whoever entices or persuades, or attempts to entice or persuade, or aids, assists or attempts to aid or assist a member of the crew of a vessel arriving in a port or about to sail therefrom to leave or desert said vessel before the expiration of his term of service therein shall forfeit not more than two hundred dollars for each offence and be punished by imprisonment for not less than one nor more than six months.

SECTION 3. Whoever knowingly and wilfully persuades or aids a person who has shipped on a voyage from a port in this Commonwealth wilfully to neglect to proceed on such voyage shall forfeit not more than one hundred dollars.

the workers. (b) The occupier or manager or person for the time being in charge of the weaving or spinning department in question shall read the thermometers thrice in the day, namely, between seven and eight o'clock in the forenoon, between ten and eleven o'clock in the forenoon, and between three and four o'clock, except in rooms which are lighted by gas, and then between four and five o'clock, in the afternoon of every day on which any persons are employed in any weaving or spinning department, and he shall record the readings of each thermometer in such department at each of the said times upon a form provided for the purpose, which, together with the regulations relating thereto, shall be furnished by the state board of health. The records of the readings shall not be destroyed until they have first been seen by the state inspector of health in whose district the factory is situated, and then not without his knowledge and consent.

SECTION 2. Section one shall not apply to textile factories already equipped with, or which become equipped with, such a number and type of standardized self-registering hygrometers, or psychrometers, or hygrometric system, as meet the approval of the state board of health, provided that the manner of using the same is approved by the state inspector of health in whose district the factory is situated, and provided that the records of the readings from the said hygrometers, or hygrometric system installed, are not destroyed without the knowledge and consent of said inspector.

SECTION 3. Section one shall not apply to textile factories the occupier or manager or person in charge of which makes use of the sling hygrometer with the express purpose of quickly and accurately determining the actual moisture and temperature of a weaving or spinning department as frequently and in such a manner as is approved by the state inspector of health in whose district the factory is situated, and provided that the records of the readings from the use of the said hygrometer are not destroyed without the knowledge and permission of said inspector.

SECTION 4. No owner, occupier or manager or person for the time being in charge of a textile factory shall permit the relative humidity in a weaving or spinning department in the textile factory under his control to exceed the following limits:

I. Dry Bulb Thermometer Readings. Degrees Fahr.	II. Wet Bulb Thermometer Readings. Degrees Fahr.	III. Percentage of Humidity.	I. Dry Bulb Thermometer Readings. Degrees Fahr.	II. Wet Bulb Thermometer Readings. Degrees Fahr.	III. Percentage of Humidity.
60	58	88	78	73.5	77
61	59	88	79	74.5	77.5
62	60	88	80	75.5	77.5
63	61	88	81	76	76
64	62	88	82	76.5	74
65	63	88	83	77.5	74
66	64	88	84	78	72
67	65	88	85	79	72
68	66	88	86	80	72
69	67	88	87	80.5	71
70	68	88	88	81.5	71
71	68.5	85.5	89	82.5	71
72	69	84	90	83	69
73	70	84	91	83.5	68
74	70.5	81.5	92	84.5	68
75	71.5	81.5	93	85.5	68
76	72	79	94	86	66
77	73	79	95	87	66

SECTION 5. Water used for humidifying purposes in a textile factory shall be taken either from a public supply of drinking water, or from some other source of pure water, or from a supply of water which, although in the opinion of the state

board of health not suitable for drinking purposes, is sufficiently free from impurities as not to be dangerous to the health of employees when used for humidifying purposes; and all ducts for the introduction or distribution of humidified air shall be kept clean.

SECTION 6. This act shall be enforced by the state inspectors of health under the supervision of the state board of health. Whoever fails to comply with the provisions contained herein after being requested so to do by a state inspector of health shall be fined not more than fifty dollars for each offence.

SECTION 7. To provide for the expenses necessary in carrying out the provisions of this act, in connection with and in addition to the duties provided for by chapter five hundred and thirty-seven of the acts of the year nineteen hundred and seven, there may be expended out of the treasury of the Commonwealth annually a sum not exceeding one thousand dollars in addition to the five thousand dollars provided for by section seven of said chapter five hundred and thirty-seven. [*Approved May 23, 1910.*]

## CHAPTER 559.

### AN ACT TO AUTHORIZE EMPLOYERS AND EMPLOYEES TO ESTABLISH CO-OPERATIVE RETIREMENT, ANNUITY OR PENSION SYSTEMS.

SECTION 1. Employees, officers and agents of any corporation, firm or individual, and the corporation, firm or individual by which they are employed, are hereby authorized to form an association for the purpose of providing annuities, pensions or endowments for employees retiring from their employment on account of age, under a system by which the participating employees contribute to the funds of the association a percentage or portion of their salaries or wages as fixed by the by-laws of the association, to be deducted by the employer and paid to the association, and the employer contributes to the funds of the association in the manner and to the extent fixed in said by-laws. The funds so provided shall be held by trustees independently of other funds of the employer, for the purchase or payment of annuities, pensions or endowments to participating employees upon their retirement from service on account of age, for the payments to the representatives or appointees of any participator dying before reaching the age of retirement, for the payment to any participator retiring from service before becoming entitled to a pension or annuity and for the payment of the expenses of administration. An association formed under the authority of this act shall not be subject to the provisions of chapter five hundred and seventy-six of the acts of the year nineteen hundred and seven, or to such other provisions of law as relate to insurance companies or associations, except as herein provided.

SECTION 2. The by-laws of every such association shall be approved by the insurance commissioner, and shall prescribe the manner in which and the officers and agents by whom the purpose of the association may be carried out and the manner in which its funds may be invested and paid out. Such association shall be deemed to be formed when its by-laws have been approved and agreed to by the employer and by the employees by vote of two thirds of all employees present and voting at a meeting called by the employer for the purpose, and have been approved by said commissioner. Such association shall annually, on or before the first day of February, report to the insurance commissioner such statements of its membership and financial transactions for the year ending on the preceding thirty-first day of December as the commissioner may consider necessary to show its business and standing. Said commissioner may verify such statement by an examination of the books and papers of the association; and whoever, having charge or custody of said

books and papers, neglects to comply with the provisions of this section shall be punished by a fine of not more than five hundred dollars.

SECTION 3. The property of every such association, and the portion of the wages or salary of an employee deducted or to be deducted under this act, the right of an employee to an annuity, pension or endowment, and all his rights in the funds of the association, shall be exempt from taxation and from the operation of any law relating to bankruptcy or insolvency, and shall not be liable to attachment by trustee process or be liable to be taken on execution or on any other process legal or equitable to satisfy any debt or liability of the employer or of any member of the association.

SECTION 4. This act shall take effect upon its passage. [*Approved May 26, 1910.*]

#### CHAPTER 563.

##### AN ACT TO REGULATE THE ASSIGNMENT OF FUTURE EARNINGS.

SECTION 1. Section one hundred and twenty-five of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by inserting before the word "No", in the first line, the words:—No assignment of, or order for, wages to be earned in the future to secure a loan of less than two hundred dollars shall be valid against an employer of the person making such assignment or order until the assignment or order is accepted in writing by the employer and the assignment or order and the acceptance of the same have been filed and recorded with the clerk of the city or town where the person making the assignment or order resides, if a resident of the Commonwealth, or in which he is employed, if not a resident of the Commonwealth. No such assignment of, or order for, wages to be earned in the future shall be valid, when made by a married man, unless the written consent of his wife to the making of such assignment or order is attached thereto,—and by striking out the word "wages", in the first line, and inserting in place thereof the word:—earnings,—so as to read as follows:—*Section 125. No assignment of, or order for, wages to be earned in the future to secure a loan of less than two hundred dollars shall be valid against an employer of the person making such assignment or order until the assignment or order is accepted in writing by the employer and the assignment or order and the acceptance of the same have been filed and recorded with the clerk of the city or town where the person making the assignment or order resides, if a resident of the Commonwealth or in which he is employed, if not a resident of the Commonwealth. No such assignment of, or order for, wages to be earned in the future shall be valid, when made by a married man, unless the written consent of his wife to the making of such assignment or order is attached thereto. No assignment of future [wages] earnings shall be valid against a trustee process, unless before service of the writ upon the alleged trustee, the assignment shall have been recorded in the office of the clerk of the city or town in which the assignor resides at the time of such record. Such record shall not affect the rights or liability of the person or corporation from whom such earnings are due otherwise than is provided in this section.*

SECTION 2. This act shall take effect upon its passage. [*Approved May 26, 1910.*]

#### CHAPTER 567.

##### AN ACT RELATIVE TO THE TRANSPORTATION BY STREET AND ELEVATED RAILWAY COMPANIES OF PUPILS OF INDUSTRIAL SCHOOLS.

Section one of chapter five hundred and thirty of the acts of the year nineteen hundred and eight is hereby amended by inserting after the word "or", where it last occurs in the third line, the words:—industrial day or evening schools organized

under the provisions of chapter five hundred and five of the acts of the year nineteen hundred and six and acts in amendment thereof or, — so as to read as follows: — *Section 1.* The rates of fare charged by street or elevated railway companies for the transportation of pupils of the public day schools or public evening schools or *industrial day or evening schools organized under the provisions of chapter five hundred and five of the acts of the year nineteen hundred and six and acts in amendment thereof* or private schools between a given point, from or to which it is necessary for them to ride in travelling to or from the schoolhouses in which they attend school and their homes, whether such schoolhouses are located in the city or town in which the pupils reside or in another city or town, shall not exceed one half the regular fare charged by such street or elevated railway company for the transportation of other passengers between said points, and tickets for the transportation of pupils as aforesaid, good during the days or evenings on which said schools are in session, shall be sold by said companies in lots of ten each. A railway company which violates the provisions of this section shall forfeit twenty-five dollars for each offence. [Approved May 26, 1910.]

## CHAPTER 597.

### AN ACT RELATIVE TO THE SUPERVISION OF THE BUSINESS OF PLUMBING.

SECTION 1. [The compensation of each of the other examiners shall not exceed five dollars a day for every day of actual service, nor more than three hundred and fifty dollars in any one year.] The compensation of the state examiners of plumbers, together with the travelling and other necessary expenses of the clerk *and the travelling and other necessary expenses of the other two state examiners to an amount not exceeding in the aggregate five hundred dollars annually for such expenses of said other two state examiners*, shall, when approved by the chairman of the state board of health and by the governor and council, be paid from the treasury of the Commonwealth.

SECTION 2. *Certificates of registration in accordance with the provisions of section two of chapter four hundred and fifty-five of the acts of the year eighteen hundred and ninety-four shall be issued to all persons who have been legally registered under the provisions of said chapter, provided that such persons, after notice, register anew with the state examiners of plumbers on or before the first day of September, nineteen hundred and ten.*

SECTION 3. So much of chapter five hundred and thirty-six of the acts of the year nineteen hundred and nine as is inconsistent herewith is hereby repealed.

SECTION 4. This act shall take effect upon its passage. [Approved June 9, 1910.]

## CHAPTER 611.

### AN ACT RELATIVE TO NOTICES OF ACTIONS FOR THE RECOVERY OF DAMAGES FOR INJURIES OR DEATH.

SECTION 1. Section one hundred and thirty-two of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, as amended by section two of chapter one hundred and sixty-six of the acts of the year nineteen hundred and ten, is hereby further amended by inserting before the last sentence therein, the following: — If the employer dies without such notice having been given and before the time for giving such notice has elapsed, the notice may be given to his executor or administrator, and the time within which the notice may be given as herein provided, shall run from the appointment of the executor or administrator, — and also by adding at the end of the said section the following: — If the employer

dies without such action having been brought and before the time for bringing the action has elapsed, the action may be begun against his executor or administrator not less than one year and not more than two years after the executor or administrator has given bond for the performance of his trust, — so as to read as follows: — *Section 132.* No action for the recovery of damages for injury or death under the provisions of the five preceding sections shall be maintained unless notice of the time, place and cause of the injury is given to the employer within sixty days, and the action is commenced within one year, after the accident which causes the injury or death. Such notice shall be in writing, signed by the person injured or by a person in his behalf. If the person injured dies within the time required for giving the notice his executor or administrator may give such notice within sixty days after his appointment. If from physical or mental incapacity it is impossible for the person injured to give the notice within the time provided in this section, he may give it within ten days after such incapacity has been removed, and if he dies within said ten days his executor or administrator may give such notice within sixty days after his appointment. *If the employer dies without such notice having been given and before the time for giving such notice has elapsed, the notice may be given to his executor or administrator, and the time within which the notice may be given as herein provided shall run from the appointment of the executor or administrator.* A notice given under the provisions of this section shall not be held invalid or insufficient solely by reason of an inaccuracy in stating the time, place or cause of the injury if it is shown that there was no intention to mislead, and that the employer was not in fact misled thereby. *If the employer dies without such action having been brought and before the time for bringing the action has elapsed, the action may be begun against his executor or administrator not less than one year and not more than two years after the executor or administrator has given bond for the performance of his trust.*

SECTION 2. This act shall take effect upon its passage. [Approved June 10, 1910.]

## CHAPTER 617.

### AN ACT RELATIVE TO THE PAYMENT OF PENSIONS TO THE MEMBERS OF THE TEACHING OR SUPERVISING STAFF OF THE PUBLIC SCHOOLS OF THE CITY OF BOSTON.

SECTION 1. Section one of chapter five hundred and eighty-nine of the acts of the year nineteen hundred and eight is hereby amended by striking out the words “at a rate not exceeding one hundred and eighty dollars a year”, in the fifth and sixth lines, so as to read as follows: — *Section 1.* The school committee of the city of Boston shall forthwith establish a permanent school pension fund for the payment of pensions as hereinafter set forth to the members of the teaching or supervising staff of the public day schools of the said city [at a rate not exceeding one hundred and eighty dollars a year].

SECTION 2. Section four of said chapter is hereby amended by adding at the end thereof the words: — Accrued interest not expended during any year shall be available for the payment of pensions during any subsequent year, — so as to read as follows: — *Section 4.* In addition to the amount which the school committee is now authorized by law to appropriate for the support of the public schools of the city, and for other purposes, it shall annually appropriate for the purposes contemplated by this act, and in the same manner in which it makes appropriations for other school purposes, the sum of five cents upon each one thousand dollars of the valuation on which the appropriations of the city council of the city are based, and shall from time to time pay to the treasurer of the permanent pension fund such portions of the proceeds of said five cents upon each

one thousand dollars of the valuation aforesaid as, in the opinion of the school committee, will not be needed for the purpose of paying pensions to teachers during that year. *Accrued interest not expended during any year shall be available for the payment of pensions during any subsequent year.*

SECTION 3. Said chapter is hereby further amended by striking out sections six and seven and inserting in place thereof the following sections:—*Section 6.* The total amount of pensions payable hereunder in any one year shall not exceed the proceeds of the said five cents upon each one thousand dollars of the valuation aforesaid, together with the [income accruing during that year from the investment of the permanent pension fund] *accrued interest of the permanent fund.* *In case the amount available in any one year under this act is not sufficient to pay the pensions that have been granted, the amount so available shall be divided pro rata among those to whom pensions have been or may be granted on the basis of the amount of the pension each is then receiving: provided, that in no case, nor in any year, shall the pension of any person retired after thirty years of service be less than three hundred and twelve dollars.* *Section 7.* The school committee of said city, by a majority vote of all its members, may retire with a pension any [member] *members* of the teaching or supervising staff of the public day schools of the city of Boston, who *shall have attained the age of sixty-five years, and such other members of the teaching or supervising staff of said schools, as, in the opinion of said school committee, [is mentally or physically] shall be* incapacitated for further efficient service [subject however to the limitations hereinafter set forth]. If [the] *a* person so retired has [attained the age of sixty-five years or] been [engaged]*employed* in teaching or supervising in public day schools for a period aggregating thirty years [twenty] *or more ten years* of which shall have been in the [public day schools] *employ of the school committee* of the city of Boston, such person shall be paid a pension at the *annual* rate of [one hundred and eighty dollars per annum] *one third of the annual salary paid to said person at the time of retirement: provided, that in no case shall the pension of any person so retired after thirty years of service, be less than three hundred and twelve dollars, nor more than six hundred dollars.* If a person so retired [shall be less than sixty-five years of age and shall have] *has been [engaged] employed* in teaching or supervising in the public day schools [in Boston and elsewhere] for a period aggregating less than thirty years, *ten years of which shall have been in the employ of the school committee of the city of Boston,* [the annual pension paid to such person shall be such percentage of one hundred and eighty dollars] *said person shall be paid a pension which bears the same ratio to the pension provided for on retirement after thirty years of service as the total number of years of service of said person [is of] bears to thirty years. [: provided however, that if the annual pension of such person so determined shall be a larger percentage of one hundred and eighty dollars than the number of years which such person has taught in the public day schools of the city of Boston is of twenty years, then the annual pension paid to such person shall be such percentage of one hundred and eighty dollars as that person's length of service in the public day schools of said city is of twenty years; and provided, further, that].* The pension of any teacher retired [under the provisions of this act]*because of incapacity* shall terminate if, and when, in the judgment of the school committee, [the] *such* person's incapacity shall have ceased *and said teacher shall have been tendered reappointment in the public schools of the city of Boston.* In determining the aggregate length of service of any person retired [in accordance with] *under* the provisions of this act, any period of leave of absence under salary shall be considered as equivalent to an equal

amount of [actual] teaching service. The [city] treasurer of the city of *Boston* shall pay pensions [to teachers retired] under this act in accordance with monthly pay rolls prepared and certified to by the school committee. *The school committee of the city of Boston shall establish a schedule of pensions in accordance with the provisions of this act. The pensions of persons already retired under the provisions of said chapter five hundred and eighty-nine shall be re-established in accordance with the provisions of this act to date from the first day of the calendar month next following the passage of this act.*

SECTION 4. *The school committee of said city during the year nineteen hundred and ten shall grant pensions to not less than sixty persons, who were annuitants of the Boston Teachers' Retirement Fund Association at the time when said chapter five hundred and eighty-nine took effect or teachers who had retired previous to said time, having taught in the public day schools for a period aggregating thirty years, twenty of which were in the public day schools of the city of Boston, at a rate not less than one hundred and eighty dollars per annum for each person, which shall be payable from the fund established under the provisions of this act, and during each year thereafter such a number of additional persons shall be pensioned as shall be necessary to keep on the roll the names of not less than sixty such persons: provided, that all such persons receiving pensions shall hold themselves subject to the call of said school committee to teach in case of need or emergency at the rates of pay current for substitutes at the time when they are so called; and provided, further, that no person shall be paid a pension under this section who shall not have made written application therefor to the secretary of said school committee within three months after the passage of this act.*

SECTION 5. *The term "teaching or supervising staff of the public day schools of the city of Boston" as used in this act shall include the superintendent, assistant superintendents, supervisors, assistant supervisors, directors, assistant directors, principals and all other persons permanently employed in giving or supervising instruction in the public schools of the city of Boston, and the principal and the teachers of the Parental School of the city of Boston: provided, that all appointments of principals or of teachers in the Parental School of the city of Boston, after the passage of this act, shall be approved by the school committee of the city of Boston, before said principals or teachers begin service.*

SECTION 6. All acts and parts of acts inconsistent herewith are hereby repealed.

SECTION 7. This act shall take effect upon its passage.

*(The foregoing was laid before the Governor on the sixth day of June, 1910, and after five days it had "the force of a law", as prescribed by the Constitution, as it was not returned by him with his objections thereto within that time.)*

## CHAPTER 619.

### AN ACT TO AUTHORIZE THE CITIES AND TOWNS OF THE COMMONWEALTH TO ESTABLISH RETIREMENT SYSTEMS FOR THEIR EMPLOYEES.

SECTION 1. In this act, unless the context otherwise requires:—

(a) The words "city council" mean the legislative branch of the city government, whether consisting of one chamber or two.

(b) The words "retirement system" mean the arrangements provided in this act for the payment of annuities and pensions.

(c) The word "annuities" means the payments for life derived from money contributed by the employees.

(d) The word "pensions" means the payments for life derived from money contributed by the city or town.

(e) The words "regular interest" mean interest at three per cent per annum compounded semi-annually on the last days of January and July, and reckoned for full three and six months periods only.

(f) The words "continuous service" mean uninterrupted employment, with this exception: a lay-off on account of illness or reduction of force; and a leave of absence, suspension or dismissal followed by reinstatement within one year, shall not be considered as breaking the continuity of service.

#### ESTABLISHMENT OF RETIREMENT SYSTEM.

SECTION 2. Any city or town in this Commonwealth may establish a retirement system for its employees by accepting the provisions of this act in the following manner: In the case of a city, whenever a vote to accept the provisions of the act shall have duly been passed by the city council, the question of acceptance shall then be submitted to the voters of the city at the next municipal election. The vote shall be in answer to the question placed upon the ballot: "Shall an act passed by the general court in the year 1910, entitled 'An Act authorizing the cities and towns of the Commonwealth to establish retirement systems for their employees,' be accepted?" In the case of a town, whenever a vote to accept the provisions of the act shall have duly been passed by the board of selectmen, the question of acceptance shall then be submitted to the voters of the town at the next town meeting. If a majority of the voters voting on the question at the city election or at the town meeting shall vote in the affirmative, this act shall take effect in such city or town as hereinafter provided.

A copy of the vote of the city council or of the board of selectmen, certified by the city clerk or by the town clerk, and a copy of the vote at the city election or at the town meeting, sworn to by the local election commissioners or the officers corresponding thereto, shall, within thirty days respectively after the date of the latter vote, be filed in the office of the insurance commissioner. The latter shall forthwith issue a certificate that the retirement system is declared established in said city or town, to become operative on the first day of February or the first day of August following the expiration of three months after the date of such certificate.

#### THE RETIREMENT ASSOCIATION.

SECTION 3. Whenever a city or town shall have voted to establish a retirement system under the provisions of section two, a retirement association shall be organized as follows:—

(1) All employees of the city or town, on the date when the retirement system is declared established by the issue of the certificate, as provided in section two, may become members of the association. On the expiration of sixty days from said date every such employee shall be considered to have elected to become, and shall thereby become, a member, unless he shall have, within that period, sent notice in writing to the local election commissioners or the officers corresponding thereto that he does not wish to join the association.

(2) All employees who enter the service of the city or town after the date when the retirement system is declared established by the issue of the certificate, as provided in section two, except persons who have passed the age of fifty-five years, shall upon completing thirty days of service become thereby members of the association. Persons over fifty-five years of age who enter the service of the city or town after the establishment of the retirement system shall not be allowed to become members of the association, and no such employee shall remain in the service of the city or town after reaching the age of seventy years.

(3) No officer elected by popular vote may become a member of the association.

nor any employee who is or will be entitled to a pension from the city or town for any reason other than membership in the association.

(4) Any member who reaches the age of sixty years and who has been in the continuous service of the city or town for a period of fifteen years immediately preceding may retire or may be retired by the board of retirement, and any member who reaches the age of seventy must so retire.

(5) Any member who has completed a period of thirty-five years of continuous service may retire, or may be retired at any age by the board of retirement if such action be deemed advisable for the good of the service.

#### THE BOARD OF RETIREMENT.

SECTION 4. (1) The management of the retirement system is hereby vested in the board of retirement, consisting of three members, one of whom shall be the city or town treasurer; the second member shall be a member of the association elected by the latter within thirty days after the date when the retirement system is declared established by the issue of the certificate, as provided by section two, in a manner to be determined by the local election commissioners or the officers corresponding thereto; the third member shall be chosen by the other two members. In case of the failure of the latter to choose the third member within thirty days after the election of the second member, the mayor or the chairman of the board of selectmen shall appoint such third member. The first person so chosen or appointed as third member shall serve for two years; otherwise and thereafter the term of office of the two elected members shall be three years. On a vacancy occurring in the board for any cause or on the expiration of the term of office of any member, a successor of the person whose place has become vacant or whose term has expired shall be chosen in the same manner as was his predecessor.

(2) The members of the board of retirement shall serve without compensation; but they shall be reimbursed out of the contingent fund for any expense or loss of salary or wages which they may incur through service on the board.

(3) The city or town treasurer shall have charge and control of the funds of the system, subject to the approval of the board of retirement, and shall invest and reinvest the same, and may from time to time sell any securities held by him and invest and reinvest the proceeds, and any and all unappropriated income of said funds: provided, however, that all funds received by him not required for current disbursements shall be invested in accordance with the provisions of the laws of this Commonwealth relating to the investment of the funds of savings banks. He shall in the investment of the funds give preference to the securities of the city or town in which the retirement system has been established. He may, whenever he sells such securities, deliver the securities so sold upon receiving the proceeds, and may execute all documents necessary to transfer the title thereto.

(4) The board of retirement shall have power to make by-laws and regulations not inconsistent with the provisions of this act, and to employ such clerical or other assistance as may be necessary for the fulfilment of its purposes.

(5) The board shall determine the percentage of wages that employees shall contribute to the pension fund, subject to the minimum and maximum percentages, and shall, furthermore, have power to classify employees for the purposes of the retirement system, and to establish different rates of contribution for different classes within the prescribed limits.

(6) The city or town treasurer shall, in February of each year, unless for cause the insurance commissioner shall have granted an extension of time, file in the office of the insurance commissioner a sworn statement, which shall exhibit the financial condition of the retirement system on the thirty-first day of the pre-

ceding January, and its financial transactions for the year ending with said day. Such statement shall be in a form approved by the insurance commissioner, and shall show, among other things, the liability of the retirement system on account of the following items:—

*A. Deposit Reserve.*

The total of the deposits of the members actually received by the treasurer or due from the city or town under section five, (2) *A*, and held subject to withdrawal by such members.

*B. Interest Reserve.*

Regular interest on such deposits.

*C. Annuity Reserve.*

The net value of the annuities entered upon under section six, (2) *B*, on the basis of the mortality tables and interest rates provided for in this act.

*D. Expense and Contingent Funds.*

- (a) The unexpended portion of the amounts received under section five, (1).
- (b) The contingent fund.

*E. Gifts and Bequests.*

The amounts received as gifts or bequests and held under the terms of such gifts or bequests.

*F. Other Liabilities.*

All other liabilities.

*G. Surplus.*

- (a) *Annuity Surplus.*—The undistributed surplus arising from annuity deposits, as defined in section five, (2) *B* (b).
- (b) *Other Surplus.*—All unassigned funds.

CREATION OF THE RETIREMENT FUND.

SECTION 5. The funds of the retirement system shall be raised as follows:—

(1) *Expense and Contingent Fund.*

The city or town shall appropriate annually such an amount as may be necessary to defray the whole expense of administration, according to estimates prepared by the treasurer.

(2) *Annuity and Pension Fund.*

*A. Deposits by Members.*—Each member shall deposit in this fund from his wages or salary, as often as the same are payable, not less than one per cent and not more than five per cent of the amount of his wages or salary as determined by the board of retirement under the provisions of section four (5): provided, however, that employees who receive more than thirty dollars weekly in wages or salary shall not be assessed for contribution to this fund on the excess above that amount.

*B. Contributions by the City or Town.*—(a) Every month the city or town shall contribute such amount as the board of retirement may determine to be necessary to pay current pensions for subsequent services, under section six, (2) *C* (a).

(b) Every year, in February, the city or town shall contribute an amount equal to the surplus arising from annuity deposits. In case there should be a deficiency arising from such annuity deposits, instead of a surplus, then the city or town shall make good such deficiency.

(c) Every month the city or town shall contribute such amount as the board of retirement may determine to be necessary to pay current pensions for prior service under section six, (2) C (b).

(d) Every month the city or town shall contribute such amount as the board of retirement may determine to be necessary to ensure the minimum payments provided for in section six, E.

### (3) *Provision for Payments.*

All amounts payable by members of the association under paragraph (2) A of this section shall be deducted by the city or town from the amounts payable to them as wages or salary, as often as the same are payable, and shall be credited immediately to the pension fund by the city or town treasurer.

## DISTRIBUTION OF FUNDS.

SECTION 6. The city or town treasurer shall administer the funds of the retirement system in accordance with the following plan:—

### (1) *Expense and Contingent Funds.*

The funds provided for under section five, (1), shall be used, so far as may be necessary, for the payment of the expenses of administration. The portions not so used, if any, shall be carried to the contingent fund, any portion of which may be transferred to any other fund by vote of the board of retirement. In case the amount appropriated for the expense fund in any year should prove insufficient, the city or town shall appropriate in the following year such additional sum as may be required to cover the deficit.

### (2) *Annuity and Pension Funds.*

A. *Refunds.*—(a) Should a member of the association cease to be an employee of the city or town for any cause other than death before becoming entitled to a pension, there shall be refunded to him all the money that has been paid in by him under section five, (2) A, with regular interest.

(b) Should a member of the association die before becoming entitled to a pension, there shall be paid to his legal representatives all the money that has been paid in by him under section five, (2) A, with such interest as shall have been earned on such deposits.

B. *Annuities from Employees' Deposits.*—Every member who reaches the age of sixty years and has been in the continuous service of the city or town for fifteen years immediately preceding, and then or thereafter retires, every member who retires or is retired at the age of seventy years, and every member who is retired for the good of the service under the provisions of section three, (5), shall receive an annuity to which the sum of his deposits under section five, (2), with regular interest, shall entitle him, according to the tables adopted by the board of retirement, in one of the following forms:—

(a) A life annuity, payable monthly.

(b) A life annuity, payable monthly, with the provision that in the event of the death of the annuitant before receiving payments equal to the sum at the date of his retirement of his deposits under section five, (2) A, with regular interest, the difference shall be paid to his legal representatives.

*C. Pensions derived from Contributions by the City or Town.*—(a) Pensions based upon subsequent service. Any member entitled to an annuity under paragraph (2) *B*, of this section, shall receive in addition thereto a pension for life payable monthly equivalent to that annuity, to be paid out of the fund contributed by the city or town under the provisions of section five, (2) *B* (a).

(b) Pensions based upon prior service. Any member of the association who reaches the age of sixty years, having been in the continuous service of the city or town for fifteen years or more immediately preceding, and then or thereafter retires or is retired, shall receive in addition to the annuity and pension provided for by paragraph (2) *B* and *C* (a) of this section, an extra pension for life as large as the amount of the annuity to which he might have acquired a claim if the retirement system had been in operation at the time when he entered the service of the city or town, and if accordingly he had paid regular contributions from that date to the date of the establishment of the retirement association at the same rate as that first adopted by the board of retirement, and if such deductions had been accumulated with regular interest.

Employees who had already reached the age of sixty years at the time when the retirement system was established, and employees who had already reached the age of fifty-five years at that date and also became members of the association, may be retired under the provisions of the preceding paragraph without having completed the otherwise required service period of fifteen years. For the purpose of computing any pension payable for prior service, the board of retirement may estimate on a basis determined by them the wages received at any period for which they may deem it impracticable to consult the original records.

*D. Application of Surplus.*—The board of retirement shall have power to determine the application of any surplus, as defined under section four, (6) *G* subject to the approval of the insurance commissioner.

*E. Minimum Payments.*—In no case shall the total monthly payment to a member be at a rate less than two hundred dollars per year.

*F. Association Membership and Pension Certificate.*—Membership in the association shall be evidenced by a certificate to be issued to each member by the board of retirement, and the right to an annuity or a pension shall be evidenced by a policy to be issued to each member who retires or is retired by the board of retirement.

#### TAXATION, ATTACHMENTS AND ASSIGNMENTS.

SECTION 7. The funds of the retirement system, so far as they are invested in personal property, shall be exempt from taxation.

That portion of the wages of a member deducted or to be deducted under this act, the right of a member to an annuity or pension, and all his rights in the funds of the retirement system shall be exempt from taxation, and from the operation of any law relating to bankruptcy or insolvency, and shall not be attached or taken upon execution or other process of any court. No assignment of any right in or to said funds shall be valid.

#### SUPERVISION BY INSURANCE COMMISSIONER.

SECTION 8. The insurance commissioner shall prescribe for each city or town which adopts a retirement system under the provisions of this act one or more mortality tables, and shall determine what rates of interest shall be established in connection with such tables, and may later modify such tables or prescribe other tables to represent more accurately the expense of the pension system, or may change said rates of interest and may determine the application of the changes

so made. He shall also prescribe and supervise methods of bookkeeping of every retirement association formed under the provisions of this act.

The insurance commissioner shall at least once every year, either personally or by deputy or assistant, thoroughly inspect and examine the affairs of the retirement association to ascertain its financial condition, its ability to fulfil its obligations, whether all the parties in interest have complied with the provisions of law applicable to the association, and whether the transactions of the board of retirement have been in accordance with the rights and equities of those in interest. The retirement system shall be credited, in the account of its financial condition, with its investments having fixed maturities upon which the interest is not in default at amortized values, and its other investments at a reasonable valuation.

For the purposes aforesaid, the insurance commissioner or other person making examination shall have access to all the securities, books and papers of the retirement system, and may summon and administer oaths to and examine as witnesses the members of the board of retirement or any other person relative to the financial affairs, transactions and condition of the retirement system. The insurance commissioner shall preserve in a permanent form a full record of the proceedings at such examination, and the results thereof. Upon the completion of such examination, verification and valuation, the insurance commissioner shall make a report in writing of his findings to the board of retirement, and shall send a copy thereof to the city council or the board of selectmen.

SECTION 9. If, in the judgment of the insurance commissioner, the city or town or the board of retirement has violated or neglected to comply with any of the provisions of this act, or of the rules and regulations established by the board of retirement hereunder, he shall give notice thereof to the city or town and to the board of retirement, and thereafter if such violation or neglect continues, shall forthwith present the facts to the attorney-general for his action.

SECTION 10. The superior court shall have jurisdiction in equity upon petition of the insurance commissioner or any interested party to compel the observance and to restrain the violation of this act and of the rules and regulations established by the board of retirement hereunder.

SECTION 11. This act shall take effect upon its passage. [*Approved June 14, 1910.*]

## CHAPTER 63.

### AN ACT TO PROVIDE FOR INSPECTION BY BOARDS OF HEALTH OF COLD STORAGE AND REFRIGERATING WAREHOUSES.

SECTION 1. Boards of health of cities or towns, by themselves, their officers or agents, shall make frequent inspection of all cold storage or refrigerating warehouses used for the storage of food products, and for this purpose shall have all the powers of entry now conferred by law for purposes of such inspection.

SECTION 2. This act shall take effect upon its passage. [*Approved June 15, 1910.*]

## CHAPTER 63.

### AN ACT RELATIVE TO THE VENUE OF CERTAIN ACTIONS FOR DAMAGES.

SECTION 1. Section one hundred and forty-five of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine, being "An Act to codify the laws relating to labor", in so far as it applies to chapter three hundred and twenty of the acts of the year nineteen hundred and four, which relates to the venue of certain actions to recover for injury or damage, is hereby repealed, and said chapter three hundred and twenty shall be and remain of the

same force and effect which it had at the time of the passage of said chapter five hundred and fourteen.

SECTION 2. Said section one hundred and forty-five of chapter five hundred and fourteen of the acts of the year nineteen hundred and nine is hereby amended by inserting after the word "seventy-five", in the fifteenth line, the words:— three hundred and twenty.

SECTION 3. This act shall take effect upon its passage. [*Approved February 10, 1910.*]

## RESOLVES.

### CHAPTER 56.

RESOLVE TO PROVIDE FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE THE GENERAL SUBJECT OF THE INSPECTION OF FACTORIES, WORKSHOPS, MERCANTILE ESTABLISHMENTS AND OTHER BUILDINGS.

*Resolved*, That the governor, with the advice and consent of the council, shall, within thirty days after the passage of this resolve, appoint a commission consisting of five persons, citizens of the Commonwealth, one of whom he shall designate as chairman, to investigate the general subject of the inspection of factories, workshops, mercantile establishments and other buildings, to study the present system of such inspection as it is administered by the district police, the state board of health and the local authorities, to determine if there is any duplication of work or absence of proper inspection, to consider the need of extending the scope of the inspection, and to recommend such changes in the law as shall seem necessary to co-ordinate the work and to secure greater efficiency and greater economy in the said inspection.

Said commission may employ experts and all necessary clerical and other assistants, and may incur such reasonable expenses, including travelling expenses, as may be authorized by the governor and council. Before incurring any expense the commission shall from time to time estimate its probable amount and submit the estimate to the governor and council for their approval, and no expense shall be incurred by the commission beyond the amount so estimated and approved. The commissioners shall serve without pay. The commission shall report in print to the general court on or before the second Wednesday of January in the year nineteen hundred and eleven, with drafts of such bills, if any, as may be necessary to carry its recommendations into effect. There may be expended from the treasury of the Commonwealth a sum not exceeding five thousand dollars to carry out the purposes of this resolve. [*Approved April 7, 1910.*]

### CHAPTER 67.

RESOLVE TO PROVIDE FOR PRINTING THE REPORT OF THE COMMISSION APPOINTED TO INVESTIGATE THE VARIOUS SYSTEMS OF OLD AGE INSURANCE AND PENSIONS OR ANNUITIES.

*Resolved*, That there be printed and bound twenty-five hundred copies of the report of the commission appointed under chapter one hundred and twenty-seven of the resolves of the year nineteen hundred and nine to investigate and report relative to the adoption of a system of old age insurance and pensions, the same to be in addition to the number of said reports printed as a house document. Each member of the general court shall receive one copy, and the remainder shall be placed at the disposal of the members of said commission. [*Approved April 13, 1910.*]

## CHAPTER 120.

RESOLVE TO PROVIDE FOR A COMMISSION TO DETERMINE UPON A PLAN OF COMPENSATING EMPLOYEES FOR INJURIES RECEIVED IN THE COURSE OF THEIR EMPLOYMENT.

*Resolved*, That the public good requires a change in the present system of determining the compensation of employees for injuries sustained in industrial accidents, and that the Commonwealth ought to provide different and more suitable relief; and,

*Resolved*, That the governor, with the advice and consent of the council, be authorized to appoint a commission of five persons, citizens of the Commonwealth, one of whom shall be designated as chairman, for the purpose of investigating the effect of the present laws relating to the liability of employers for injuries received by employees in the course of their employment. The commission shall investigate other laws and systems in operation in other states and countries, shall correspond or confer with committees and commissions in other states considering the same subject, and shall draft an act for the compensation of employees for industrial accidents. The commission shall be provided with suitable quarters in the state house or elsewhere. It may employ all necessary clerical or other assistance and may incur such reasonable expense, including travelling expenses, and shall receive such remuneration, as may be approved by the governor and council. The commission shall report in print, the draft of the act and a compilation of the data and statistics and such other information as the commission may be possessed of as a result of its investigation and study, on or before the second Wednesday in January in the year nineteen hundred and eleven, and the powers of said commission shall terminate on that date. The total expense to be incurred under this resolve shall not exceed the sum of ten thousand dollars. The provisions of section twenty-one of chapter three of the Revised Laws shall not apply to the appointments to be made under this resolve. [*Approved June 7, 1910.*]

## CHAPTER 133.

RESOLVE TO PROVIDE FOR AN INVESTIGATION AND REPORT RELATIVE TO THE ESTABLISHMENT OF A SYSTEM OF AGRICULTURAL SCHOOLS.

*Resolved*, That the board of education is hereby authorized and directed to investigate the advisability of establishing a system of agricultural schools throughout the Commonwealth, and to report the result of its investigation with its recommendations to the next general court not later than the second Wednesday in January, nineteen hundred and eleven. [*Approved June 10, 1910.*]

## CHAPTER 141.

RESOLVE TO PROVIDE FOR AN INVESTIGATION BY THE COMMISSIONER OF WEIGHTS AND MEASURES AS TO THE SALE AT RETAIL OF COAL AND FOOD PRODUCTS.

*Resolved*, That the commissioner of weights and measures is hereby authorized and directed to investigate and report in print to the next general court, by the second Wednesday of January, nineteen hundred and eleven, what legislation, if any, is necessary for the protection of the public against abuses in the sale of coal at retail in this Commonwealth, and what legislation, if any, is necessary to prevent the selling at retail of packages containing short weights in food products; and for these purposes the commissioner may expend a sum not exceeding five hundred dollars. [*Approved June 14, 1910.*]

## CHAPTER 142.

RESOLVE TO PROVIDE FOR PRINTING ADDITIONAL COPIES OF THE REPORT OF THE MASSACHUSETTS COMMISSION ON THE COST OF LIVING.

*Resolved*, That there be printed and bound seventy-five hundred copies of the report of the commission on the cost of living appointed under authority of chapter one hundred and thirty-four of the acts of the present year, the same to be in addition to the number of said reports printed as a house document. The expenses attending the same shall be paid out of the fifteen thousand dollars appropriated for expenses in carrying out the provisions of said chapter one hundred and thirty-four if sufficient for the purpose, otherwise from the treasury of the Commonwealth, and the documents shall be placed at the disposal of members of said commission. [Approved June 14, 1910.]

## CHAPTER 146.

RESOLVE TO PROVIDE FOR AN INVESTIGATION OF EMPLOYMENT AND INTELLIGENCE OFFICES.

*Resolved*, That a commission of three persons be appointed by the governor, with the advice and consent of the council, to serve without compensation. The commission shall investigate and study the condition and management of employment agencies and intelligence offices of all kinds in the Commonwealth, and the efficiency of the laws relating thereto. The commission shall also investigate in regard to the advisability of extending the services of the state free employment offices of the bureau of statistics so as to provide farm labor throughout the Commonwealth. The commission shall be allowed such sum for its necessary expenses, not exceeding two thousand dollars, as may be approved by the governor and council, and shall report in print to the general court, not later than the eleventh day of January, 1911, with such recommendations for legislation or otherwise as it may deem expedient. The commission shall have authority to summon witnesses and enforce their attendance, to order the production of books, papers, agreements and documents and to administer oaths in accordance with the provisions of chapter one hundred and seventy-five of the Revised Laws and acts amendatory thereof or in addition thereto. [Approved June 15, 1910.]

## CHAPTER 160.

RESOLVE TO PROVIDE FOR AN INVESTIGATION RELATIVE TO RETIREMENT SYSTEMS FOR STATE AND COUNTY EMPLOYEES.

*Resolved*, That the director of the bureau of statistics is hereby authorized and directed to make an investigation as to the cost to the counties of the Commonwealth by the establishment of retirement systems for employees as provided for in the senate bill numbered three hundred and seventy-five of the present year, also as to the cost to the Commonwealth by the establishment of a retirement fund for its employees as provided for in the senate bill numbered three hundred and seventy-six of the present year. He is authorized to employ experts in determining the cost, and shall report his findings to the next general court not later than the first Wednesday in January. Any expenses incurred under this resolve shall be paid from the appropriation for the bureau of statistics. [Approved June 15, 1910.]

## RESOLUTIONS.

## RESOLUTIONS RELATIVE TO THE EMPLOYMENT OF CHILD LABOR.

*Whereas*, The employment of young children in factories, mines and workshops under circumstances fatal to the health and happiness of the children has reached such a magnitude as to become a national evil and disgrace; and

*Whereas*, The exercise by congress of all its constitutional powers upon this subject is needed to protect our children, and their health and happiness; therefore be it

*Resolved*, That the general court of Massachusetts earnestly requests the congress of the United States to enact national and uniform laws regulating the employment of children. Be it further

*Resolved*, That a copy of these resolutions be sent to the senators and representatives in congress from this Commonwealth.

*In House of Representatives, adopted April 5, 1910.*

*In Senate, adopted, in concurrence, April 7, 1910.*

## TABLE OF CHANGES.

The amendments to the Revised Laws enacted in 1902, and to the Acts enacted since, affecting labor have been catalogued for convenience of reference below.

[NOTE.—References in roman type refer to the pages of Labor Bulletin, No. 67; references in italic type refer to the preceding pages of this Bulletin.]

### CHANGES IN THE REVISED LAWS.

Made since their enactment in 1902.

#### CHAPTER 6. — OF MATTERS OF FINANCE.

SECTION 77. — Protection of wages, etc.; amended by Acts of 1904, c. 349, p. 45.

#### CHAPTER 11. — OF ELECTIONS.

SECTION 414. — Protection of employees as voters; repealed by Acts of 1907, c. 560, § 456.

#### CHAPTER 19. — OF THE CIVIL SERVICE.

No public officer or body, or member thereof, shall interfere with employment in public service corporations; Acts of 1903, c. 320, superseded by Acts of 1909, c. 514, §§ 25, 26, p. 11; Acts of 1908, c. 228, superseded by Acts of 1909, c. 514, § 26, p. 11; Acts of 1904, c. 343, § 1, superseded by Acts of 1909, c. 514, § 28, p. 11.

SECTION 34. — *Enforcement of rules. Amended by Acts of 1910, c. 359, p. 11.*

SECTION 36. — Application of chapter. Amended by Acts of 1902, c. 544, § 3, p. 46.

#### CHAPTER 32. — OF FIREMEN'S RELIEF FUND AND PENSIONS.

SECTION 71. — Allowance to Massachusetts State firemen's association; amended by Acts of 1902, c. 108, § 1; Acts of 1906, c. 171, § 1, p. 46.

SECTION 72. — Treasurer of association to give bond; amended by Acts of 1902, c. 108, § 2; Acts of 1906, c. 171, § 2, p. 46.

SECTION 73. — Firemen's relief fund; amended by Acts of 1903, c. 253, § 1, p. 46.

SECTION 81. — Pensions for firemen in cities; amended by Acts of 1906, c. 476, § 1, p. 47. See also Acts of 1904, c. 327, pp. 87, 88, and Acts of 1907, c. 186, p. 99.

#### CHAPTER 44. — OF SCHOOL ATTENDANCE.

SECTION 1. — Employment of children unlawfully absent from school; amended by Acts of 1905, c. 320; Acts of 1906, c. 383, p. 47.

#### CHAPTER 65. — OF ITINERANT VENDORS, HAWKERS, AND PEDLERS.

SECTION 15. — Hawkers and pedlars may sell without license; amended by Acts of 1905, c. 377; Acts of 1906, c. 345, p. 48.

SECTION 17. — Employment of children in street trades; amended by Acts of 1902, c. 531; Acts of 1906, c. 151, p. 48; *Acts of 1910, c. 419, p. 15.*

## CHAPTER 66. — OF SHIPPING AND SEAMEN, ETC.

SECTIONS 2, 3. *Enticing crews to desert; repealed by Acts of 1910, c. 526, p. 20.*

## CHAPTER 72. — OF THE USE OF LABELS, TRADE MARKS AND NAMES.

SECTIONS 7-14. — Trade marks of trade unions; affected by Acts of 1904, c. 335 (superseded by Acts of 1909, c. 514, §§ 31, 32, pp. 12, 13), and Acts of 1908, c. 280, p. 117.

## CHAPTER 75. — OF THE PRESERVATION OF THE PUBLIC HEALTH.

Manufacturers required to furnish employees with drinking water; Acts of 1902, c. 322 (superseded by Acts of 1909, c. 514, § 78, p. 25).

Fans and blowers required in places where emery or buffing wheels or belts are used; Acts of 1903, c. 475 (superseded by Acts of 1909, c. 514, §§ 86-90, pp. 27, 28).

Sanitary conditions in foundries; Acts of 1906, c. 250 (superseded by Acts of 1909, c. 514, § 102, p. 30).

Medical and surgical supplies to be kept in certain factories; Acts of 1907, c. 164 (superseded by Acts of 1909, c. 514, § 104, p. 31).

Expectoration in certain places prohibited; Acts of 1906, c. 165, amended by Acts of 1908, c. 150, p. 116.

Use of water for humidifying purposes; Acts of 1908, c. 325, p. 117.

Health districts and inspectors of health; Acts of 1907, c. 537, § 5 (superseded by Acts of 1909, c. 514, §§ 78, 94, 106, 107, 110, pp. 25, 29, 31-33); §§ 1-4, 6-8, p. 107.

Appeals from certain requirements of inspectors of factories to the State board of health; Acts of 1908, c. 487, p. 119.

## CHAPTER 103. — OF THE SUPERVISION OF PLUMBING.

Examination and licensing of plumbers; in part superseded by Acts of 1909, c. 536, pp. 141-144.

## CHAPTER 104. — OF THE INSPECTION OF BUILDINGS.

Provision for licenses for and inspection of plumbing work; Acts of 1909, c. 536, pp. 141-144.

Obstruction of means of egress from buildings prohibited; Acts of 1905, c. 347, p. 89.

Manufacturing establishments to provide employees with drinking water; Acts of 1902, c. 322 (superseded by Acts of 1909, c. 514, § 78, p. 25).

Sanitary conditions in foundries; Acts of 1906, c. 250 (superseded by Acts of 1909, c. 514, § 102, p. 30).

SECTION 14. — Inspector of factories and public buildings; see Acts of 1905, c. 472, pp. 89, 90, and Acts of 1909, c. 514, §§ 78, 94, 106, 107, and 110, pp. 25, 29, 31-33.

SECTION 19. — Appeals from order of inspectors of factories; repealed by Acts of 1908, c. 487, p. 119.

SECTION 25. — Egresses and means of escape from certain buildings; amended by Acts of 1907, c. 503, § 1, p. 57.

SECTION 41. — Belting, etc., in factories to be guarded, etc.; amended by Acts of 1907, c. 503, § 2 (Acts of 1909, c. 514, § 94, p. 29).

## CHAPTER 105. — OF THE INSPECTION OF STEAM BOILERS.

Inspection of steam boilers; Acts of 1905, c. 472, pp. 89, 90; Acts of 1906, c. 387, pp. 91, 92; c. 463, pt. II, § 173, p. 96; c. 521, pp. 98, 99; c. 522, p. 99; Acts of 1907, c. 373, pp. 53-55; c. 451, p. 100; c. 465, pp. 100-105; Acts of 1908, c. 563, p. 103; Acts of 1909, c. 348, p. 96; c. 393, p. 100; c. 410, p. 99.

Board of boiler rules; Acts of 1907, c. 465, pp. 100-105.

Examination and certification of inspectors; Acts of 1907, c. 465, §§ 5, 6, p. 101.

SECTION 1. — Inspectors of boilers; see Acts of 1907, c. 451, p. 100, c. 465, § 4, p. 101.

SECTION 2. — Location of certain boilers to be reported; see Acts of 1907, c. 465, §§ 2, 3, 13, pp. 101, 102.

SECTION 3. — Inspection of boilers; see Acts of 1907, c. 465, §§ 2, 3, 13, pp. 101, 102.

SECTION 4. — Certificate of inspection; superseded by Acts of 1907, c. 465, §§ 14, 15, pp. 102, 103.

SECTION 5. — Inspector may fix maximum pressure; see Acts of 1907, c. 465, §§ 3, 15, 17, 19, pp. 101-103.

SECTION 6. — Penalty; see Acts of 1907, c. 465, § 28 (as amended by Acts of 1909, c. 393, § 3), p. 105.

SECTION 9. — Safety plugs for steam boilers; see Acts of 1907, c. 465, § 20, p. 103, and Acts of 1908, c. 563, § 1, p. 103.

SECTION 10. — Penalty for removing safety plugs; see Acts of 1907, c. 465, §§ 20, 28, pp. 103, 105.

SECTION 11. — Penalty for making boilers without safety plugs; see Acts of 1907, c. 465, §§ 20, 28, pp. 103, 105.

## CHAPTER 106. — OF THE EMPLOYMENT OF LABOR.

The employment of labor; this chapter was repealed and revised by act to codify the laws relating to labor; Acts of 1909, c. 514, pp. 3-44.

## CHAPTER 107. — OF THE BUREAU OF STATISTICS OF LABOR.

The bureau of statistics of labor; this chapter was repealed and superseded by Acts of 1909, c. 371, pp. 126-128.

Free employment offices; see Acts of 1909, c. 514, §§ 1-9, pp. 3, 4.

## CHAPTER 108. — OF DISTRICT AND OTHER POLICE OFFICERS.

Appeals to state board of health from certain requirements of the district police; Acts of 1908, c. 487, p. 119.

Pensions for metropolitan park police; Acts of 1909, c. 453, p. 140.

SECTION 8. — Inspectors of factories, etc., powers, duties, etc.; amended by Acts of 1907, c. 413, p. 61. Duties transferred to health inspectors; Acts of 1907, c. 537, § 5; superseded by Acts of 1909, c. 514, §§ 78, 94, 106, 107, 110, on pp. 25, 29, 31-33.

SECTION 29. — Police pensions in cities; amended by Acts of 1903, c. 428, § 1; Acts of 1909, c. 188, p. 61.

SECTION 30. — Amount of pension; amended by Acts of 1903, c. 428, § 2, p. 61.

## CHAPTER 110. — OF MANUFACTURING AND OTHER CORPORATIONS.

SECTIONS 37-39. — Corporations — special stock for employees; repealed by Acts of 1903, c. 437, § 95. See Acts of 1903, c. 437, §§ 7, 8, 93, pp. 85, 86.

## CHAPTER 111. — OF RAILROAD CORPORATIONS AND RAILROADS.

Railroads; this chapter was repealed and superseded by Acts of 1906, c. 463, pts. I, II, pp. 92-97.

## CHAPTER 112. — OF STREET RAILWAY COMPANIES.

Street railways; this chapter was repealed by Acts of 1906, c. 463, pt. III, pp. 97, 98.

## CHAPTER 113. — OF SAVINGS BANKS AND INSTITUTIONS FOR SAVINGS.

SECTION 25. Limits of deposits in savings banks and institutions not applicable to labor unions; amended by Acts of 1908, c. 590, § 46; Acts of 1909, c. 491, § 7, p. 123.

## CHAPTER 119. — OF FRATERNAL BENEFICIARY CORPORATIONS.

SECTION 12. Fraternal beneficiary corporations; amended by Acts of 1903, c. 332, § 1, and Acts of 1909, c. 407, p. 62.

## CHAPTER 125. — OF TEXTILE SCHOOLS.

SECTION 20. Textile schools in cities; see Acts of 1904, c. 248, p. 87; Acts of 1905, c. 216, p. 88; Acts of 1906, c. 275, p. 90.

## CHAPTER 142. — OF ORDER OF PAYMENT OF DEBTS OF DECEASED PERSONS.

SECTION 1. Wages preferred — in administration; amended by Acts of 1909, c. 297, p. 64.

## CHAPTER 189. — OF THE TRUSTEE PROCESS.

SECTION 34. Assignment of future wages; superseded by Acts of 1909, c. 514, § 125, p. 37. See also Acts of 1908, c. 605, p. 124; Acts of 1909, c. 514, § 121, p. 36.

## CHAPTER 197. — OF LIENS ON BUILDINGS AND LAND.

SECTION 10. Enforcement of liens on buildings; amended by Acts of 1908, c. 127, p. 70.

SECTION 28. Dissolution of lien by owner; amended by Acts of 1906, c. 223. Extended to personal property liens by Acts of 1907, c. 490, § 1, pp. 105, 106; amended by Acts of 1909, c. 237, pp. 72, 73.

## CHAPTER 198. — OF LIENS ETC., UPON PERSONAL PROPERTY.

Provisions for dissolution of certain liens; Acts of 1907, c. 490, pp. 105, 106.

## CHAPTER 225. — OF LABOR OF PRISONERS.

SECTION 45. *Articles to be produced; amended by Acts of 1910, c. 414, § 1, p. 13; § 3, p. 14.*

SECTION 54. *Supply of articles to institutions; affected by Acts of 1910, c. 414, § 2, p. 13.*

SECTION 55. *Board to determine prices; repealed by Acts of 1910, c. 414, § 6, p. 14.*

## CHANGES IN THE ACTS.

Passed since the enactment of the Revised Laws of 1902.

## ACTS OF 1902.

CHAPTER 183.—Employment of certain minors; superseded by Acts of 1909, c. 514, § 66, on p. 22.

CHAPTER 322.—Requiring manufacturing establishments to supply their employees with pure drinking water during working hours; superseded by Acts of 1909, c. 514, § 78, on p. 25.

CHAPTER 350.—Operation and custody of elevators; superseded by Acts of 1909, c. 514, § 74, on p. 24.

CHAPTER 384.—Time to be allowed for voting of employees; superseded by Acts of 1909, c. 514, § 45, on p. 15.

CHAPTER 403.—Boards of health to make regulations concerning bakeries, etc.; amends R. L., c. 75, § 34, on p. 51.

CHAPTER 430.—Insignia of labor unions; § 2 superseded by Acts of 1909, c. 514, § 32, on p. 13.

CHAPTER 435.—Employment of women and children in manufacturing and mechanical establishments; superseded by Acts of 1909, c. 514, § 48, on p. 16.

CHAPTER 446.—Duties and powers of the board of conciliation and arbitration; superseded by Acts of 1909, c. 514, § 11, on p. 5.

CHAPTER 450.—Payment of wages; superseded by Acts of 1909, c. 514, § 112, on p. 33.

CHAPTER 544, § 3.—Application of chapter relating to civil service—labor service; amends R. L., c. 19, § 36, on p. 46.

## ACTS OF 1903.

CHAPTER 253.—Appointment of the commissioners of the firemen's relief fund; amends R. L., c. 32, § 73, on p. 46.

CHAPTER 275.—Registration of the insignia of ribbons, rosettes, or buttons of labor unions; § 1 repealed by Acts of 1904, c. 335; superseded by Acts of 1909, c. 514, § 31, on p. 12.

CHAPTER 320.—Public service corporations and their employees; superseded by Acts of 1909, c. 514, §§ 25, 26, on p. 11.

CHAPTER 475.—Requiring the use of fans or blowers in all places where emery or buffing wheels or belts are used; superseded by Acts of 1909, c. 514, §§ 86-90, on pp. 27, 28. (See Acts of 1908, c. 389, on p. 118.)

## ACTS OF 1904.

CHAPTER 248.—Annual reports by trustees of textile schools; affected by Acts of 1905, c. 211, § 1, on p. 87.

CHAPTER 311.—Employment of mechanics and laborers in the construction of public works; superseded by Acts of 1909, c. 514, § 21, on p. 10.

CHAPTER 313.—Powers of the board of conciliation and arbitration; superseded by Acts of 1909, c. 514, §§ 11-14, on pp. 5-7.

CHAPTER 315.—Hours of labor of members of fire departments in cities and towns; superseded by Acts of 1909, c. 514, § 44, on p. 15.

CHAPTER 334.—Time to be allowed for voting of employees; superseded by Acts of 1909, c. 514, § 45, on p. 15.

CHAPTER 335.—Registration of insignia of labor unions; superseded by Acts of 1909, c. 514, §§ 31, 32, on pp. 12, 13.

CHAPTER 343.—To prohibit the corrupt influencing of agents, employees, or servants; superseded by Acts of 1909, c. 514, §§ 28, 29, on pp. 11, 12.

CHAPTER 347.—To provide for protecting operatives in factories from injury by flying shuttles; superseded by Acts of 1909, c. 514, § 101, on p. 30.

CHAPTER 349.—Providing for the protecting of persons furnishing materials or labor for public works; amends R. L., c. 6, § 77, on p. 45; superseded by Acts of 1909, c. 514, § 23, on p. 10.

CHAPTER 397.—To extend the provisions of the fifty-eight hour law so as to include the month of December; superseded by Acts of 1909, c. 514, § 47, on p. 15. (See also Acts of 1909, c. 514, § 56, on pp. 18, 19.)

CHAPTER 399.—To establish the salaries of the members of the State board of conciliation and arbitration; superseded by Acts of 1909, c. 514, § 10, on p. 4.

CHAPTER 430.—Inspectors of factories, etc.; age limit; see Acts of 1906, c. 522, p. 99; Acts of 1907, c. 451, p. 100; Acts of 1908, c. 375, p. 118.

CHAPTER 432.—Age and schooling certificates of minors; superseded by Acts of 1909, c. 514, § 59, on p. 19. (See also Acts of 1909, c. 514, § 56, on pp. 18, 19.)

CHAPTER 460.—Observance of the Lord's Day; amends R. L., c. 98, § 2, on p. 51 (§ 2 affected by Acts of 1908, cc. 333, 343, on p. 118; Acts of 1909, cc. 420, 423, on p. 132).

#### ACTS OF 1905.

CHAPTER 213.—Approval of age and schooling certificates of minors; superseded by Acts of 1909, c. 514, § 59, on p. 19. (See Acts of 1909, c. 514, § 58, on p. 19.)

CHAPTER 216.—Additional trustees of the Lowell textile school; amended by Acts of 1906, c. 275, § 1, on p. 88, § 2, on p. 90.

CHAPTER 231.—To provide that certain employees of jails and houses of correction shall be allowed two days off in every month; superseded by Acts of 1909, c. 514, § 55, on p. 18. (See also Acts of 1909, c. 514, §§ 53, 54, on p. 18.)

CHAPTER 238.—To more effectually prevent the existence of sweat shops; superseded by Acts of 1909, c. 514, § 106, on p. 31. (See also Acts of 1909, c. 514, §§ 107, 110, on pp. 32, 33.)

CHAPTER 246.—*Massachusetts police mutual aid association; § 2 amended by Acts of 1910, c. 295, p. 10.*

CHAPTER 267.—Employment and school attendance of minors; superseded by Acts of 1909, c. 514, §§ 56, 58, on pp. 18, 19. (See also Acts of 1909, c. 514, §§ 59, 61-65, on pp. 19-22.)

CHAPTER 304.—Payment of operatives in textile factories; superseded by Acts of 1909, c. 514, §§ 115-119, on pp. 35, 36.

CHAPTER 308.—Assignment of wages; superseded by Acts of 1909, c. 514, §§ 121-126, on pp. 36, 37. (See Acts of 1908, c. 605, §§ 7, 8, on p. 125.)

CHAPTER 310.—Licensing of engineers and firemen; amends R. L., c. 102, §§ 81, 86, on pp. 54, 55. (See also Acts of 1906, c. 387, on pp. 91, 92; Acts of 1907, c. 465, on pp. 100-105.)

CHAPTER 320.—To extend the age for compulsory attendance in the public schools in certain cases; amends R. L., c. 44, § 1, pp. 47, 48.

CHAPTER 472.—The inspection of steam boilers; § 1, see Acts of 1906, c. 387, on p. 91; Acts of 1907, c. 465, §§ 1, 14, on pp. 100, 102; § 2, see Acts of 1907, c. 465, §§ 10, 11, 19, on pp. 102, 103; § 3, see Acts of 1907, c. 465, § 28, on p. 105; c. 537, § 5, on p. 107; Acts of 1908, c. 389, on p. 118.

## ACTS OF 1906.

CHAPTER 151. — Licensing of minors to engage in certain occupations in cities; amends R. L., c. 65, § 17, on pp. 48, 49.

CHAPTER 171. — To increase the annual payment to the Massachusetts State firemen's association; § 1 amends R. L., c. 32, § 71, on p. 46; § 2 amends R. L., c. 32, § 72, on p. 46.

CHAPTER 250. — To provide for suitable sanitary conditions in foundries; superseded by Acts of 1909, c. 514, § 102, on p. 30.

CHAPTER 284. — Employment and school attendance of minors; superseded by Acts of 1909, c. 514, § 56, on p. 18. (See also Acts of 1909, c. 514, § 59, on pp. 19, 20.)

CHAPTER 345. — Hawkers and pedlers; amends R. L., c. 65, § 15, on p. 48.

CHAPTER 370. — Recovery of damages in cases of death caused by accidents to employees; superseded by Acts of 1909, c. 514, § 128, on pp. 38, 39. (See also Acts of 1909, c. 514, §§ 129, 141, on pp. 39, 42.)

CHAPTER 383. — Compulsory education; amends R. L., c. 44, § 1, on pp. 47, 48.

CHAPTER 387. — The inspection of steam boilers; see Acts of 1906, cc. 521, 522, on pp. 98, 99; Acts of 1907, c. 373, on p. 54; c. 465, on pp. 100–105.

CHAPTER 390. — Assignment of wages; superseded by Acts of 1909, c. 514, §§ 121–126, on pp. 36, 37. (See Acts of 1908, c. 605, §§ 7, 8, on p. 125.)

CHAPTER 399. — Employment of public school teachers through the State board of education; amended by Acts of 1907, c. 213, on p. 92.

CHAPTER 427. — Weekly payment of wages by counties; superseded by Acts of 1909, c. 514, § 112, on p. 33.

CHAPTER 435. — The establishment and maintenance of free employment offices; superseded by Acts of 1909, c. 514, §§ 1–7, on pp. 3, 4. (See also Acts of 1909, c. 371, on pp. 126–128.)

CHAPTER 463. — Part I — §§ 46–48, Benefit Societies — Railway Relief Corporations; see Acts of 1909, c. 514, § 135, on pp. 40, 41; § 63, amended by Acts of 1907, c. 392, on p. 94; pt. II, § 173, amended by Acts of 1909, c. 348, on p. 96.

CHAPTER 476. — To authorize cities to pension call firemen or substitute call firemen; amends R. L., c. 32, § 81, on p. 47.

CHAPTER 499. — Illegal employment of minors and the duties of truant officers; superseded by Acts of 1909, c. 514, §§ 61–65, on pp. 21, 22.

CHAPTER 502. *Appointment of school physicians; § 1 amended by Acts of 1910, c. 257, § 1, p. 5; § 2 amended by Acts of 1910, c. 257, § 2, p. 6.*

CHAPTER 517. — To constitute eight hours a maximum day's work for public employees; superseded by Acts of 1909, c. 514, §§ 37–41, on pp. 13, 14. (See also Acts of 1909, c. 514, § 53, on p. 18.)

CHAPTER 521. — Chief inspector of the boiler inspection department of the District Police; § 1, see Acts of 1907, c. 465, § 4, on p. 101; § 2 superseded by Acts of 1907, c. 465, §§ 16, 28, on pp. 103, 105.

CHAPTER 522. — Inspection of boilers; amended by Acts of 1909, c. 410, on p. 99.

## ACTS OF 1907.

CHAPTER 135. — Expenses in connection with the maintenance of free employment offices in certain cities; § 1 superseded by Acts of 1909, c. 514, § 7, on p. 4.

CHAPTER 164. — Keeping of medical and surgical appliances in factories; superseded by Acts of 1909, c. 514, § 104, on p. 31.

CHAPTER 193.— Weekly payment of wages by cities, counties, and other employers; superseded by Acts of 1909, c. 514, § 112, on p. 33.

CHAPTER 224.— Age and schooling certificates required for minors committed to the Lyman school for boys and the state industrial school for girls; superseded by Acts of 1909, c. 514, § 59, on pp. 19, 20.

CHAPTER 267.— Hours of labor of women and minors employed in the manufacture of textile goods; superseded by Acts of 1909, c. 514, § 51, on p. 17.

CHAPTER 269.— Hours of labor of workmen, mechanics, and engineers; superseded by Acts of 1909, c. 514, §§ 37-40, on pp. 13, 14.

CHAPTER 373.— Granting licenses to engineers and firemen; amends R. L., c. 102, §§ 78, 82, 84, 85, on pp. 53-55. (See Acts of 1907, c. 465, on pp. 100-105.)

CHAPTER 413.— Factories and workshops — inspectors; amends R. L., c. 108, § 8, on p. 61.

CHAPTER 465.— Inspection of steam boilers; § 1, amended by Acts of 1909, c. 393, § 1, on pp. 100, 101; § 2, see Acts of 1907, c. 465, § 26, pp. 104, 105; § 6, see Acts of 1909, c. 393, § 1, on pp. 100, 101; § 18, amended by Acts of 1908, c. 563, § 2, on p. 103; § 26, amended by Acts of 1909, c. 393, § 2, on pp. 104, 105; § 28, amended by Acts of 1909, c. 393, § 3, on p. 105.

CHAPTER 499.— To authorize appeals from the State board of health from certain requirements of the district police; repealed and superseded by Acts of 1908, c. 487, on pp. 119, 120.

CHAPTER 503.— Egresses and means of escape from certain buildings — lighting and sanitary conditions in factories and workshops; § 1, amends R. L., c. 104, § 25, on pp. 57, 58; § 2, superseded by Acts of 1909, c. 514, §§ 94, 103, on pp. 29, 30.

CHAPTER 537.— Inspection of factories and workshops — inspectors of health; *see Acts of 1910, c. 543, p. 20. § 1 amended by Acts of 1910, c. 523, § 1, p. 19; § 2 amended by Acts of 1910, c. 523, § 2, p. 19; § 3, see Acts of 1908, c. 325, § 3, p. 118, and c. 329 (not published in Labor Bulletin No. 67), and amended by Acts of 1910, c. 405, p. 13; § 6 amended by Acts of 1910, c. 523, § 3, p. 20.*

CHAPTER 560, § 5.— Time to be allowed for voting of employees, and § 447, for employing certain persons on day of State election; see Acts of 1909, c. 514, § 45, on p. 15.

CHAPTER 561.— Savings bank insurance; § 11, amended by Acts of 1908, c. 222, on p. 111.

CHAPTER 570.— Hours of labor of laborers, workmen, and mechanics; superseded by Acts of 1909, c. 514, §§ 37, 39, on pp. 13, 14.

CHAPTER 577.— To provide for one day's rest in seven; superseded by Acts of 1909, c. 514, § 52, on p. 17. (See R. L., c. 98, § 3, on p. 51; Acts of 1908, cc. 333, 343, on p. 118.)

#### ACTS OF 1908.

CHAPTER 217.— Fraudulent advertisements concerning employment; superseded by Acts of 1909, c. 514, § 27, on p. 11.

CHAPTER 222.— Surrender charge of life insurance policies issued by savings banks; § 1, amends Acts of 1907, c. 561, § 11, on p. 111.

CHAPTER 228.— To exempt certain offices from the provisions of the act relative to public service corporations and their employees; superseded by Acts of 1909, c. 514, § 26, on p. 11.

CHAPTER 273.— To authorize unpaid labor on yachts and boats on Sunday; amends R. L., c. 98, § 3, on p. 51.

CHAPTER 306.— The furnishing by the bureau of statistics of labor of in-

formation relative to the demand for employment; superseded by Acts of 1909, c. 514, §§ 8, 9, on p. 4.

CHAPTER 325. — *The use of water for humidifying purposes. See Acts of 1910, c. 543, p. 20.*

CHAPTER 380. — Protecting the interests of injured employees; superseded by Acts of 1909, c. 514, § 141, on p. 42. (See also Acts of 1909, c. 514, §§ 129, 130, on p. 39; c. 363, on p. 126.)

CHAPTER 389. — Powers and duties of the inspectors of factories and public buildings; § 1, amended by Acts of 1909, c. 354, on p. 118.

CHAPTER 420. — Liability of railway companies for injuries to employees; superseded by Acts of 1909, c. 514, § 127, on p. 38.

CHAPTER 457. — Bringing of actions under the employers' liability law; superseded by Acts of 1909, c. 514, §§ 129, 130, on p. 39.

CHAPTER 485. — Free employment offices; superseded by Acts of 1909, c. 514, §§ 2-7, on pp. 3, 4. (See Acts of 1909, c. 371, § 1, on p. 126.)

CHAPTER 487. — Appeals from the orders of the inspectors of factories and public buildings of the district police; amends R. L., c. 104, § 19, on p. 56. (See Acts of 1909, c. 514, § 105, on p. 31.)

CHAPTER 489. — Approval of plans of compensation for injured employees; superseded by Acts of 1909, c. 514, §§ 136-138, 140, on pp. 41, 42.

CHAPTER 547. — Hours of labor of employees in the penal institutions of the Commonwealth; superseded by Acts of 1909, c. 514, §§ 53, 55, on p. 18.

CHAPTER 563. — Operation and inspection of steam boilers; § 1, amended by Acts of 1909, c. 393, § 1, on pp. 100, 101. § 2, amends Acts of 1907, c. 465, § 18, on p. 103.

CHAPTER 589. — *Pensions for teachers in Boston public day schools; § 1 amended by Acts of 1910, c. 617, § 1, on p. 25; § 4 amended by Acts of 1910, c. 617, § 2, on p. 25; §§ 6 and 7 amended by Acts of 1910, c. 617, § 3, on p. 26.*

CHAPTER 605. — Regulation of the business of making small loans; § 1, limited by Acts of 1909, c. 278, on p. 126; § 6, amended by Acts of 1909, c. 317, on p. 125. (See Acts of 1909, c. 419, § 25, on pp. 131, 132; c. 514, §§ 121-126, on pp. 36, 37.)

CHAPTER 645. — Hours of labor of women and minors; superseded by Acts of 1909, c. 514, § 48, on p. 16.

CHAPTER 650. — Weekly payment of wages to public employees; superseded by Acts of 1909, c. 514, § 112, on p. 33.

#### ACTS OF 1909.

CHAPTER 317. — Validity of assignments of wages; amends Acts of 1908, c. 605, § 6, on p. 125.

CHAPTER 348. — Testing of boilers of locomotives; amends Acts of 1906, c. 463, pt. II, § 173, on p. 96.

CHAPTER 354. — Powers and duties of the inspectors of factories and public buildings; amends Acts of 1908, c. 389, § 1, on p. 118.

CHAPTER 363. — Rights of action of employees against employers; see Acts of 1909, c. 514, §§ 127, 134, on pp. 38, 40.

CHAPTER 371. — The bureau of statistics; see Acts of 1909, c. 514, §§ 1-9, on pp. 3, 4; § 3 amended by Acts of 1910, c. 83, p. 3.

CHAPTER 393. — Operation and inspection of steam boilers; amends Acts of 1907, c. 465, §§ 1, 26, 28, on pp. 100, 101, 104, 105.

CHAPTER 398. — *Retirement of certain veteran clerks of courts; amended by Acts of 1910, c. 459, p. 16.*

CHAPTER 407. — Fraternal beneficiary corporations; amends R. L., c. 119, § 12, on p. 62.

CHAPTER 408. — Notices given to prevent the sale of intoxicating liquors to employees; amends R. L., c. 100, § 63, on p. 52.

CHAPTER 457. — *Board of education*; § 3 amended by Acts of 1910, c. 282, p. 9.

CHAPTER 514. — *Labor laws*:

Section 58. *Approval of school certificates*; amended by Acts of 1910, c. 257, § 3, p. 6.

Section 60. *Employment and age and schooling certificates*; amended by Acts of 1910, c. 257, § 4, p. 7.

Section 61. *Penalty for violation of law as to employment of children*; amended by Acts of 1910, c. 249, p. 5.

Section 75. *Employment of minors in manufacture of acids*; amended by Acts of 1910, c. 404, p. 12.

Section 80. *Sanitary provisions for factories and workshops*; amended by Acts of 1910, c. 259, § 1, p. 8.

Section 82. *Sanitary provisions for factories and workshops*; amended by Acts of 1910, c. 259, § 2, p. 8.

Section 84. *Ventilation of factories and workshops*; see Acts of 1910, c. 543, p. 20.

Section 112. *Weekly payment of wages*; amended by Acts of 1910, c. 350, p. 11.

Section 125. *Assignment of future earnings*; amended by Acts of 1910, c. 563, p. 23.

Section 132. *Notice of injuries*; amended by Acts of 1910, c. 166, § 2, p. 4, and by c. 611, p. 24.

CHAPTER 536. — *The supervision of the business of plumbing*; amended by Acts of 1910, c. 597, p. 24.

#### ACTS OF 1910.

CHAPTER 166. — *Notices of actions for the recovery of damages for injuries or death*; amended by Acts of 1910, c. 611, p. 24.

## INDEX OF BILLS AFFECTING LABOR INTRODUCED DURING THE LEGISLATIVE SESSION OF 1910.

[NOTE. — Abbreviations used are S. for Senate, H. for House, and Com. for Committee. References in italic type refer to the preceding pages of this Bulletin.]

### ACCIDENTS AND WORKMEN'S COMPENSATION.

SENATE 52. To provide for compensating employees for personal injuries received in the course of their employment. Joint Judiciary Com. reported H. 1759.

HOUSE 140. Relative to notice of an employee's injury in the case of his death within sixty days after the injury. Joint Judiciary Com. reported H. 1266.

HOUSE 273. To provide for compensating employees for personal injuries received in the course of their employment. Joint Judiciary Com. reported H. 1759.

HOUSE 325. To preserve evidence for injured persons in certain accident cases. Joint Judiciary Com. reported leave to withdraw.

HOUSE 613. Relative to notices of injuries on public ways. Joint Judiciary Com. reported H. 1266.

HOUSE 614. Relative to notice to be given in case of injury or death of an employee. Joint Judiciary Com. reported H. 1266.

HOUSE 694. To provide for payments to the families of police officers killed or fatally injured in the discharge of their duties. Ways and Means Coms. in both branches reported leave to withdraw.

HOUSE 1041. Relative to the payment of wages to incapacitated employees of the city of Boston. Cities Com. reported leave to withdraw.

HOUSE 1087. To provide for immediate trial of suits to recover damages in certain cases. Joint Judiciary Com. reported leave to withdraw.

HOUSE 1266. Relative to giving notices of injuries. Reported by Joint Judiciary Com.; based on H. 140, H. 613, and H. 614. *See Chapter 166, on p. 4.*

HOUSE 1555. Relative to the issuing of policies insuring against accidental bodily injury or disease. *See Chapter 493, on p. 17.*

HOUSE 1685. Relative to notices of actions for the recovery of damages for injuries or death. (An amendment of H. 1266.) Joint Judiciary Com. reported H. 1745.

HOUSE 1745. Relative to notices of actions for the recovery of damages for injuries or death. *See Chapter 611, on p. 24.*

HOUSE 1759. To provide for a commission to determine upon a plan of compensating employees for injuries received in the course of their employment. Reported by Joint Judiciary Com. based on S. 52 and H. 273. *See Chapter 120 (Resolves) on p. 35.*

### CHILD LABOR.

SENATE 12. Relative to the forging of birth certificates. *See Chapter 249, on p. 5.*

SENATE 128. Relative to the employment of children in public amusements. Joint Judiciary Com. reported leave to withdraw.

HOUSE 322. Resolution relative to the employment of child labor. Federal Relations Com. Amended by H.; adopted by H. April 5 and by S. April 7. *See p. 37.*

HOUSE 330. Relative to employment of children in dangerous trades. Labor Com. reported H. 1518.

HOUSE 332. Relative to prosecutions for violation of the laws relating to the employment of women and minors. Labor Com. reported leave to withdraw.

HOUSE 391. Relative to the age at which children shall be required to attend school. Education Com. reported leave to withdraw.

HOUSE 615. To provide for medical inspection of working children between the ages of fourteen and sixteen. Labor Com. reported H. 1310.

HOUSE 618. Relative to minors engaged in street trades. Legal Affairs Com. substituted H. 1509.

HOUSE 736. Relative to the appointment of school physicians in certain cities and towns. Education Com. reported leave to withdraw.

HOUSE 1310. To provide for medical inspection of working children between the ages of fourteen and sixteen. Based on H. 615. *See Chapter 257, on p. 5.*

HOUSE 1509. Relative to the licensing of minors to engage in certain occupations in cities. Substituted for H. 618 by Legal Affairs Com. *See Chapter 419, on p. 15.*

HOUSE 1518. Relative to the employment in dangerous trades of minors under the age of eighteen years. Based on H. 330. *See Chapter 404, on p. 12.*

#### *Hours of Labor.*

SENATE 53. To prohibit the employment of women and minors in any mercantile establishment after certain hours on Friday and Saturday evenings. Labor Com. reported reference to next Legislature.

SENATE 132. Relative to the hours of employment of women and minors. Reported by Labor Com.; Com. on Bills in Third Reading reported new draft H. 1577.

HOUSE 159. Relative to the hours of labor of women and minors. Labor Com. reported H. 1577.

HOUSE 329. Relative to the hours of labor of children under sixteen years of age. Labor Com. reported leave to withdraw.

HOUSE 331. Relative to the employment at night of children between the ages of fourteen and sixteen. Labor Com. reported leave to withdraw.

HOUSE 402. Relative to the employment of minors. Labor Com. reported leave to withdraw.

HOUSE 926. Relative to the employment of minors. Labor Com. reported leave to withdraw.

HOUSE 1577. Relative to the hours of employment of women and minors. Com. on Bills in Third Reading reported new draft based on H. 159 and amending S. 132; passed by H. and rejected by S.

#### CONVICT LABOR.

SENATE 35. Relative to the marking of goods made in penal institutions. Prisons Com. reported leave to withdraw.

SENATE 312. Relative to making goods for the use of public institutions by the labor of prisoners. *See Chapter 414, on p. 13.*

HOUSE 89. Relative to the marking of goods made in penal institutions. Prisons Com. reported leave to withdraw.

#### COST OF LIVING.

SENATE 369. To provide for compulsory instruction in thrift in the public schools. *See Chapter 524, on p. 20.*

SENATE 432. To provide for printing additional copies of the report of the Massachusetts commission on the cost of living. Reported by Ways and Means Joint Com. based on H. 1776. *See Chapter 142 (Resolves) on p. 36.*

HOUSE 120. To provide for an amendment of the Constitution relative to the purchase and sale of fuel and ice by cities and towns. Constitutional Amendments Com. reported leave to withdraw.

HOUSE 188. Relative to the sale of bread. Mercantile Affairs Com. reported leave to withdraw.

HOUSE 289. To provide for an investigation of the sale of coal at retail. House Order. Mercantile Affairs Com. reported reference to cost of living commission to include in their report.

HOUSE 804. Relative to the sale of bread. Mercantile Affairs Com. reported leave to withdraw.

HOUSE 1077. To provide for investigations by the attorney-general of the rise in prices of the necessities of life. Ways and Means Joint Com. reported leave to withdraw.

HOUSE 1084. Relative to the appointment of commissioners to investigate and regulate the conditions and prices of the necessities of life. Ways and Means Joint Com. reported leave to withdraw.

HOUSE 1165. To create the Massachusetts industrial and fiscal commission. Ways and Means Joint Com. reported H. 1227.

HOUSE 1227. To create the Massachusetts commission on the cost of living. Based on H. 1165. *See Chapter 134, on p. 3.*

HOUSE 1758. To provide for inspection by boards of health of cold storage and refrigerating warehouses. Reported by Joint Judiciary Com. based on report of commission on the cost of living. *See Chapter 141 (Resolves), on p. 35.*

HOUSE 1773. To provide for an investigation by the commissioner of weights and measures as to the sale at retail of coal and food products. Reported by Joint Judiciary Com. based on report of commission on the cost of living. *See Chapter 141 (Resolves), on p. 35.*

HOUSE 1776. To provide for printing additional copies of the report of the Massachusetts commission on the cost of living. Ways and Means Joint Com. reported S. 432.

#### EMPLOYER AND EMPLOYEE.

HOUSE 476. To prohibit the corrupt influencing of agents, employees or servants. Joint Judiciary Com. reported leave to withdraw.

HOUSE 756. To prohibit the influencing of agents, employees or servants. Joint Judiciary Com. reported leave to withdraw.

HOUSE 922. To prohibit the coercion of employees. Labor Com. reported leave to withdraw.

#### EMPLOYMENT AND EMPLOYMENT OFFICES.

SENATE 435. To provide for an investigation of employment and intelligence offices. New draft of H. 170, H. 1682, and a portion of H. 1750 by Ways and Means S. Com. *See Chapter 146 (Resolves), on p. 36.*

HOUSE 170. Relative to the obtaining of positions by school teachers. H. 576, 1909, taken from files of last year and referred to Education Com.; reported leave to withdraw, and H. 1565 substituted by Ways and Means H. Com.; H. then substituted the original bill (H. 170) which passed and went to S.; S. reported S. 435 including this bill and others.

HOUSE 217. Relative to the operation of intelligence offices. Legal Affairs Com. reported leave to withdraw.

HOUSE 403. To authorize additional work upon state highways in times of industrial distress. Labor Com. and Ways and Means S. Com.; rejected by S.

HOUSE 418. To provide a right of appeal in cases of removal and suspension from office and employment in the classified civil service. Public Service Com. reported leave to withdraw.

HOUSE 769. To provide for the employment of citizens on certain public works. Labor Com. reported leave to withdraw.

HOUSE 781. To provide for a study and report by the director of the bureau of statistics relative to employment and intelligence offices. Legal Affairs Com. and Ways and Means H. Com. rejected, reconsidered, then substituted H. 1682.

HOUSE 923. To prohibit unlawful discrimination against employers in the hiring or retaining of certain persons in their employ. Labor Com. reported leave to withdraw.

HOUSE 925. To provide that state and county employees shall be citizens of the United States. Labor Com. reported leave to withdraw.

HOUSE 1565. Relative to the obtaining of positions as teachers in the public schools. *See H. 170.*

HOUSE 1682. To provide for an investigation of employment and intelligence offices. Substituted for H. 781 by Legal Affairs Com.; passed by H.; referred by S. to Ways and Means Com. which reported S. 435.

#### HEALTH AND SAFETY.

SENATE 36. To provide for the appointment of one additional member of the district police to serve as an inspector of factories and public buildings. Public Service Com.; passed by S. and rejected by H.

SENATE 40. Relative to recording the humidity and temperature of the atmosphere in textile factories. Labor Com.; see also S. 41, H. 401, and H. 478; reported S. 336.

SENATE 41. Relative to the use of water in certain factories. Labor Com.; see also S. 40, H. 401, and H. 478; reported S. 336.

SENATE 131. Relative to sanitary provisions for factories and workshops. *See Chapter 259, on p. 8.*

SENATE 213. To provide for the inspection of station houses, lock-ups and houses of detention, and to improve sanitary conditions in the same. Public Health Com. reported S. 276.

SENATE 276. To provide for the inspection of station houses, lock-ups and houses of detention, and to improve sanitary conditions in the same. Reported by Public Health Com. based on S. 213; referred to Ways and Means S. Com. which reported S. 309.

SENATE 309. Relative to the establishment of health districts and the appointment of inspectors of health. Reported by Public Health Com. and Ways and Means S. Com. based on S. 213 and S. 276. *See Chapter 405, on p. 13.*

SENATE 336. Relative to regulating the humidity and temperature of the atmosphere in textile factories. Reported by Labor Com. based on S. 40, S. 41, H. 401, and H. 478. *See Chapter 543, on p. 20.*

HOUSE 286. Relative to the equipment of elevators used for carrying passengers. Mercantile Affairs Com. reported leave to withdraw.

HOUSE 306. To provide that violations of the factory laws shall be reported to the district police. Labor Com. reported leave to withdraw.

HOUSE 342. To provide for an investigation of the moving picture business. Substituted for H. 433 (petition). Mercantile Affairs Com. reported leave to withdraw.

HOUSE 364. Relative to the construction, alteration and maintenance of buildings in the city of Boston. Cities Com.; rejected by S.

HOUSE 401. Relative to furnishing lockers for employees of textile factories. Labor Com.; see also S. 40, S. 41, H. 478; reported S. 336.

HOUSE 419. To provide for the appointment of two additional members of the district police to serve as inspectors of factories. Public Service Com. reported leave to withdraw.

HOUSE 478. Relative to the humidifying of the air in factories. Labor Com.; see also S. 40, S. 41, and H. 401; reported S. 336.

HOUSE 600. To authorize appeals from the board of boiler rules. Joint Judiciary Com. reported leave to withdraw.

HOUSE 771. For the appointment of a commission to consider the inspection of factories and other buildings. Labor Com. reported H. 1421.

HOUSE 808. Relative to the supervision of buildings. Mercantile Affairs Com. reported H. 1356.

HOUSE 947. To provide for safety guards upon passenger elevators. Mercantile Affairs Com. reported leave to withdraw.

HOUSE 1104. To provide for the registration and licensing of operators of elevators. Mercantile Affairs Com. reported leave to withdraw.

HOUSE 1168. Relative to the construction, alteration, repair, maintenance and use of buildings in the city of Springfield. Cities Com. reported H. 1430.

HOUSE 1356. Relative to the construction, alteration, inspection and maintenance of buildings in the city of Boston. Based on H. 808. *See Chapter 284, on p. 9.*

HOUSE 1421. For the appointment of a commission to investigate the general

subject of the inspection of factories, workshops, mercantile establishments and other buildings. Reported by Labor Com. based on H. 771. *See Chapter 56 (Resolves), on p. 34.*

HOUSE 1430. Relative to the construction, alteration, repair, maintenance and use of buildings in the city of Springfield. Based on H. 1168. *See Chapter 349, on p. 10.*

HOUSE 1501. Relative to the health districts and to the inspectors of health of the Commonwealth. Reported by Public Health Com. based on recommendations included in the annual report of the State board of health. *See Chapter 523, on p. 19.*

#### HOMESTEADS.

HOUSE 547. To encourage the establishment of suburban homesteads. Agriculture Com. reported leave to withdraw.

HOUSE 976. To authorize cities and towns to vote to expend money for homesteads. Public Health Com. reported leave to withdraw; referred to next Legislature.

HOUSE 1687. To establish a homestead commission and to provide for the purchase of land by the Commonwealth. Reported by Public Health and Ways and Means H. Coms. on report of homestead commission; reported new draft H. 1735.

HOUSE 1735. To establish a homestead commission and to provide for the purchase of land by the Commonwealth. New draft of H. 1687 reported by Public Health Com.; passed by H.; referred by S. to Ways and Means Com. which reported reference to next Legislature.

#### HOURS OF LABOR.

##### *Holidays.*

SENATE 42. To provide that the twelfth day of October shall be a legal holiday and called Columbus Day; see also S. 136 and H. 793. *See Chapter 473, on p. 17.*

SENATE 136. To make the twelfth day of October in each year a legal holiday, to be known as Columbus Day. Legal Affairs Com.; see S. 42.

HOUSE 181. To make the first day of January a legal holiday. Legal Affairs Com. reported reference to next Legislature.

HOUSE 256. To make the first day of January a legal holiday. Legal Affairs Com. reported reference to next Legislature.

HOUSE 793. To provide for the observance of the anniversary of the discovery of America by Christopher Columbus. Legal Affairs Com. reported leave to withdraw.

##### *Public Employees.*

SENATE 38. Giving leave of absence to city employees. Cities Com. reported leave to withdraw.

SENATE 193. To constitute eight hours a day's work for public employees. Labor Com. reported leave to withdraw.

HOUSE 247. To constitute eight hours a day's work for public employees. Legal Affairs Com. Passed by H. and S.; vetoed by Governor May 27; veto sustained by H. and S.

HOUSE 265. To relieve members of the police force of the city of Chelsea and the towns of Revere and Winthrop from police duty at certain times. Cities Com. reported H. 1429.

HOUSE 1112. Relative to the hours of labor of the metropolitan park police. Metropolitan Affairs Com. reported reference to next Legislature.

HOUSE 1429. Relative to the police departments of the city of Chelsea and the town of Revere. Based on H. 265. *See Chapter 444, on p. 15.*

##### *Railway Employees.*

HOUSE 38. Relative to the hours of labor of employees of street railway companies. Street Railways Com. reported leave to withdraw and substituted H. 1604.

HOUSE 617. Relative to the hours of labor of street railway employees. Street Railways Com. reported leave to withdraw and substituted H. 1604.

HOUSE 1604. Relative to the hours of labor of street railway employees. Substituted for H. 38 and H. 617 by Street Railways Com.; passed by H. and rejected by S.

#### Miscellaneous.

SENATE 24. To define what are establishments where the employment is "by seasons." Labor Com. reported leave to withdraw.

HOUSE 616. To define what are establishments where the employment is "by seasons." Labor Com. reported leave to withdraw.

HOUSE 768. To regulate the hours of labor of hospital nurses and attendants and to designate the location of their sleeping apartments. Labor Com. reported leave to withdraw.

#### INDUSTRIAL EDUCATION.

HOUSE 546. To provide for an investigation and report relative to the establishment of a system of agricultural schools. Agriculture Com.; passed by S.; Ways and Means H. Com. reported new draft H. 1740.

HOUSE 565. Relative to reimbursement of cities and towns for expenses of industrial education. Education Com. reported leave to withdraw.

HOUSE 1048. To provide for the reimbursement of cities and towns for expenses of industrial education. Education Com. reported leave to withdraw.

HOUSE 1740. To provide for an investigation and report relative to the establishment of a system of agricultural schools. New draft of H. 546 reported by Ways and Means H. Com. *See Chapter 133 (Resolves), on p. 35.*

#### INJUNCTIONS.

SENATE 351. To regulate the issuance of injunctions. Substituted by Joint Judiciary Com. for H. 272; rejected by H.

HOUSE 128. Relative to the issuance of injunctions and to proceedings for punishment in cases of violation. Joint Judiciary Com. substituted H. 1613; S. reported leave to withdraw.

HOUSE 158. Relative to proceedings for punishment of the violation of injunctions. Joint Judiciary Com.; rejected by H.

HOUSE 272. To regulate the issuance of restraining orders and injunctions and procedure thereon, and to limit the meaning of "conspiracy." Joint Judiciary Com. reported leave to withdraw. S. 351 substituted by S.

HOUSE 473. To provide for right of appeal in cases of contempt of court in certain instances. Joint Judiciary Com. reported leave to withdraw.

HOUSE 474. To provide for jury trials in certain instances of contempt of court. Joint Judiciary Com. reported leave to withdraw.

HOUSE 1613. To regulate the issue of injunctions and restraining orders and the procedure upon hearings for the violation thereof. Substituted for H. 128 by Joint Judiciary Com.; rejected by S.

#### LICENSES.

SENATE 389. Relative to the supervision of the business of plumbing. Ways and means S. Com.; new draft of H. 366. *See Chapter 597, on p. 24.*

HOUSE 366. To amend an act relative to the supervision of the business of plumbing. Passed by H.; S. reported new draft S. 389.

HOUSE 665. Relative to the licensing of plumbers and the supervision of the business of plumbing. Public Health Com. reported leave to withdraw.

HOUSE 782. Relative to the licensing of hawkers and pedlers. Legal Affairs Com. reported reference to next Legislature.

HOUSE 783. To authorize cities and towns to license pedlers. Legal Affairs Com. reported reference to next Legislature.

HOUSE 791. Relative to licensing in the city of Boston the business of making loans on personal property. Legal Affairs Com. reported leave to withdraw.

## MECHANICS' LIENS.

HOUSE 327. Relative to liens on buildings and land. Joint Judiciary Com. reported reference to next Legislature.

HOUSE 598. Relative to the priority of certain mortgages over liens. Joint Judiciary Com. reported reference to next Legislature.

HOUSE 1085. Relative to mechanics' liens for labor. Joint Judiciary Com. reported reference to next Legislature.

HOUSE 1089. Relative to the establishment of mechanics' liens. Joint Judiciary Com. reported reference to next Legislature.

## PENSIONS.

*Firemen.*

SENATE 165. Relative to the pensioning and compensating of members of the fire department of the city of Boston. Cities Com. reported reference to next Legislature.

HOUSE 723. To provide for the retirement of members of the fire department of the city of New Bedford. Cities Com. reported H. 1290.

HOUSE 1042. Relative to the members of the fire department of the city of Boston. Cities Com. reported leave to withdraw.

HOUSE 1290. To provide for the retirement of members of the fire department of the city of New Bedford. Cities Com. reported new draft based on H. 723. *See Chapter 196, on p. 4.*

*Police.*

SENATE 187. Relative to the Massachusetts police mutual aid association. *See Chapter 295, on p. 10.*

HOUSE 515. To provide for the pensioning of the members of the district police. Public Service Com.; passed by both branches; vetoed May 18.

HOUSE 1043. To make uniform the pensions of ex-police officers of the city of Boston. Cities Com. reported leave to withdraw.

*Teachers.*

HOUSE 267. Relative to the retirement of masters and teachers in public schools of the city of Boston. Education Com. reported leave to withdraw.

HOUSE 452. Relative to the payment of pensions to teachers and officials of the public schools of the city of Boston. Education Com. reported H. 1553.

HOUSE 888. To provide for pensioning teachers in the parental school of the city of Boston. Education Com. reported H. 1413.

HOUSE 1413. To provide for pensioning teachers in the parental school of the city of Boston. Reported by Education Com. based on H. 888; reported new draft H. 1504.

HOUSE 1504. To provide for pensioning teachers in the parental school of the city of Boston. New draft of H. 888 and H. 1413 reported by Education Com.; passed by H. and rejected by S.

HOUSE 1553. Relative to the payment of pensions to the members of the teaching or supervising staff of the public schools of the city of Boston. Reported by Education Com. based on H. 452; recommitted; reported new draft H. 1678.

HOUSE 1678. Relative to the payment of pensions to the members of the teaching or supervising staff of the public schools of the city of Boston. New draft of H. 452 and H. 1553 reported by Education Com. *See Chapter 617, on p. 25.*

*Veterans in Public Service.*

SENATE 37. Relative to the pensioning of civil war veterans who are officials or employees of the county of Suffolk and the city of Boston. Metropolitan Affairs Com. reported leave to withdraw.

SENATE 167. Relative to the retirement of certain veterans of the civil war who are county employees. Counties Com. reported H. 1435 based on this bill and S. 168.

SENATE 168. Relative to the retirement of certain veterans in the service of the several counties of the Commonwealth. Counties Com. reported H. 1435.

HOUSE 119. Relative to the pensions of police officers who are veterans in cities. Cities Com. reported leave to withdraw.

HOUSE 1435. Relative to the retirement of veterans in the service of the counties of the Commonwealth. Reported by Counties Com. based on S. 167 and S. 168. *See Chapter 459, on p. 16.*

#### *Other Public Servants.*

SENATE 51. Relative to the payment of wages to incapacitated employees of the city of Boston. Cities Com. reported leave to withdraw.

SENATE 208. Relative to retiring employees of the city of Boston in certain cases. Reported by Legal Affairs Com. based on report of commission on old-age pensions and H. 406; reported S. 373.

SENATE 218. To provide for the pensioning of constables and officers-in-attendance of the courts of the Commonwealth. Public Service Com. reported reference to next Legislature.

SENATE 373. To authorize the cities and towns of the Commonwealth to establish retirement systems for their employees. Reported by Legal Affairs Com. based on report of commission on old-age pensions, H. 406, and S. 208; S. 406 substituted.

SENATE 375. To authorize the counties of the Commonwealth to establish retirement systems for their employees. Reported by Legal Affairs Com. based on report of commission on old-age pensions; referred by S. to Ways and Means Com. which reported S. 437.

SENATE 376. To establish a retirement system for the employees of the Commonwealth. Reported by Legal Affairs Com. based on report of commission on old-age pensions; referred by S. to Ways and Means Com. with S. 375, which reported S. 437.

SENATE 406. To authorize the cities and towns of the Commonwealth to establish retirement systems for their employees. Substituted by Legal Affairs Com. for S. 373; see also H. 406, and S. 208. *See Chapter 619, on p. 27.*

SENATE 437. To provide for an investigation relative to retirement systems for state and county employees. Reported by Ways and Means Com. based on S. 375 and S. 376. *See Chapter 160 (Resolves), on p. 36.*

HOUSE 194. Relative to retiring employees of the Commonwealth in certain cases. Public Service Com. reported reference to next Legislature.

HOUSE 406. To authorize the cities of this Commonwealth and their employees to establish co-operative pension systems. Legal Affairs Com.; see also S. 208, and S. 373; S. 406 substituted.

HOUSE 669. Relative to retiring employees of the Commonwealth in certain cases. Public Service Com. reported reference to next Legislature.

HOUSE 672. Relative to the pensioning of probation officers. Public Service Com. reported reference to next Legislature.

HOUSE 1138. To authorize the retirement of employees of the Commonwealth in certain cases. Public Service Com. reported reference to next Legislature.

#### *Old Age.*

HOUSE 29. To provide for old-age pensions. Legal Affairs Com. reported leave to withdraw; reconsidered and referred to next Legislature.

HOUSE 309. To provide for printing the report of the commission appointed to investigate the various systems of old age insurance and pensions or annuities. Insurance Com. reported new draft H. 1449.

HOUSE 1449. To provide for printing the report of the commission appointed to investigate the various systems of old age insurance and pensions or annuities. New draft of H. 309 reported by Insurance Com. *See Chapter 67 (Resolves), on p. 34.*

*Miscellaneous.*

SENATE 368. To authorize employers and employees to establish co-operative, retirement, annuity or pension systems. Reported by Insurance Com. based on report of commission on old-age pensions. *See Chapter 559, on p. 22.*

## STRIKES.

HOUSE 82. To regulate advertisements and solicitations for employees during strikes, lockouts and industrial disputes. Labor Com. reported H. 1498.

HOUSE 275. To allow peaceful communications with applicants for positions during strikes, lockouts and labor disputes. Labor Com.; rejected by S.

HOUSE 328. Relative to the imposition and collection of fines by trades unions or other associations. Joint Judiciary and Labor Coms; rejected by H.

HOUSE 477. To create a State board of labor and to provide for the investigation of industrial disputes. Labor Com. reported reference to next Legislature.

HOUSE 927. To provide for the public investigation of industrial disputes and for the prevention and settlement of strikes and lockouts. Labor Com. reported reference to next Legislature.

HOUSE 1498. To regulate advertisements and solicitations for employees during strikes, lockouts or other labor disputes. New draft of H. 82 reported by Labor Com. *See Chapter 445, on p. 16.*

## SUNDAY LABOR.

HOUSE 279. Relative to the closing of bakeries on the Lord's Day. Legal Affairs Com. reported leave to withdraw.

HOUSE 479. Relative to the sale on the Lord's Day of bread and other food usually dealt in by bakers. Legal Affairs Com. reported leave to withdraw.

HOUSE 622. To authorize certain persons to do business on the Lord's Day. Legal Affairs Com. reported leave to withdraw.

HOUSE 780. Relative to the shoeing of horses on the Lord's Day. Legal Affairs Com. reported leave to withdraw.

## WAGES.

*Assignment and Garnishment of Wages.*

HOUSE 185. Relative to the assignment of wages. Legal Affairs Com. reported leave to withdraw.

HOUSE 249. Relative to assignments and orders for wages to be earned. Legal Affairs Com. reported leave to withdraw.

HOUSE 785. Relative to assignment of earnings. Legal Affairs Com. reported leave to withdraw.

HOUSE 786. To regulate the assignment of future earnings. Legal Affairs Com. *See Chapter 563, on p. 23.*

HOUSE 909. Relative to the attachment of wages. Joint Judiciary Com. reported leave to withdraw.

*Payment of Wages.*

SENATE 54. To provide for the payment of wages of persons employed in manufacturing, mechanical and mercantile establishments during hours of labor. Labor Com. reported leave to withdraw.

SENATE 113. Relative to salaries and wages of officials, clerks and employees of the city of Fall River. Cities Com. reported leave to withdraw.

HOUSE 344. Relative to the payment of compensation to persons employed by the city of Boston. Metropolitan Affairs Com. reported leave to withdraw.

HOUSE 770. Relative to the payment of wages to discharged employees. Labor Com. reported H. 1393.

HOUSE 962. To provide compensation for military duty performed by employees of cities and towns. Military Affairs Com. reported H. 1507.

HOUSE 1393. Relative to the payment of wages to discharged employees. Reported on H. 770 by Labor Com. *See Chapter 350, on p. 11.*

HOUSE 1507. Relative to the compensation of employees of cities and towns who may be ordered for duty in the militia. Reported by Military Affairs Com. based on H. 962; amended as H. 1575.

HOUSE 1575. Relative to the compensation of employees of cities and towns who may be ordered for duty in the militia. Amended draft of H. 1507 which was reported by Military Affairs Com. on H. 962 and H. 1507; vetoed by Governor.

#### *Miscellaneous.*

HOUSE 1097. Relative to obtaining security for wages of laborers, workmen and mechanics. Legal Affairs Com. reported leave to withdraw.

HOUSE 1238. Relative to wages of employees of the Metropolitan park commission and of the Metropolitan water and sewerage board. Metropolitan Affairs Com. reported reference to next Legislature.

#### MISCELLANEOUS BILLS AFFECTING LABOR.

SENATE 80. To provide for the biennial printing, preparing and furnishing to the Governor and Council of lists of State officials, employees, and others with salaries or compensations paid from the State treasury. Public Service Com. and Ways and Means Com. reported new draft S. 266 based on recommendations of the Governor and on S. 80 and S. 257.

SENATE 204. Relative to the amount of property exempt from attachment by trustee process. Legal Affairs Com. reported leave to withdraw.

SENATE 257. To provide for the annual preparation and printing of lists of State officials and employees with their salaries or compensation. Public Service Com. and Ways and Means Com. reported new draft S. 266 based on recommendations of the Governor and on S. 80 and S. 257.

SENATE 266. To provide for the annual preparation and printing of lists of State officials and employees with their salaries or compensation. New draft of S. 80, and S. 257 reported by Public Service Com. and Ways and Means Com. *See Chapter 268, on p. 8.*

SENATE 338. Relative to the enticing or persuading of seamen to desert or leave their vessels. Reported by Joint Judiciary Com. for H. 907; passed by S.; H. substituted original bill.

HOUSE 25. To provide for an amendment of the constitution authorizing direct legislation or a people's veto through the optional referendum and a direct initiative by petition. Constitutional Amendments Com.; rejected by H.

HOUSE 81. Relative to legislative hearings on measures concerning public service corporations. Joint Judiciary Com. reported leave to withdraw.

HOUSE 129. To prevent abuse of the right of appeal from decrees in equity. Joint Judiciary Com. reported leave to withdraw.

HOUSE 276. To amend an act to codify the laws relating to labor. Labor Com. changed title to: Relative to the venue of certain actions for damages. *See Chapter 63, on p. 33.*

HOUSE 385. Relative to the appointees of the Board of Education. Education Com. and Ways and Means Com. reported H. 1370.

HOUSE 784. Relative to usury. Legal Affairs Com. reported leave to withdraw.

HOUSE 839. To establish public service commissions, to prescribe their powers and duties and to provide for the regulation and control of certain public service corporations. Public Service Com. reported leave to withdraw.

HOUSE 904. To establish a system of State life insurance. Insurance Com. reported leave to withdraw.

HOUSE 907. Relative to the enticing or persuading of seamen to desert or leave their vessels. S. 338 substituted by Joint Judiciary Com.; bill passed by S.; H. substituted original bill (H. 907) which passed both branches. *See Chapter 526, on p. 20.*

HOUSE 931. To define and prohibit the practice of usury. Legal Affairs Com. reported leave to withdraw.

HOUSE 1052. To authorize cities and towns to provide meals for children in the public schools. Education Com. reported leave to withdraw and substituted H. 1550.

HOUSE 1081. Relative to the annual report of the director of the bureau of statistics on the statistics of labor. Reported by Labor Com. and Ways and Means H. Com.; based on recommendations of director of bureau of statistics. *See Chapter 83, on p. 3.*

HOUSE 1370. Relative to appointees of the board of education. Based on H. 385. *See Chapter 282, on p. 9.*

HOUSE 1415. Relative to appointment and employment in the public service in violation of the civil service law or rules. Reported by Joint Judiciary Com. based on portion of the last report of the Attorney General (Pub. Doc. 12). *See Chapter 359, on p. 11.*

HOUSE 1550. To provide for an investigation as to the advisability of authorizing cities and towns to furnish meals to school children. Based on H. 1052; reported by Education Com.; later referred to Ways and Means S. Com.; passed by H. and rejected by S.

HOUSE 1614. Relative to employment in the public service and to the protection of faithful and competent employees. Based on recommendations of highway commission; reported by Public Service Com.; passed by H. and rejected by S.

HOUSE 1771. To provide for the appointment of a commission to examine the statistical service of the Commonwealth. Reported by Joint Judiciary Com. based on recommendations of commission on the cost of living; referred to Ways and Means H. Com. which reported ought not to pass; rejected by H.

## APPENDIX.

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### LABOR LEGISLATION ENACTED IN THE SIXTY-FIRST CONGRESS.

The following are some of the important public laws affecting labor which were passed at the Second Session of the Sixty-First Congress.

**EMPLOYERS' LIABILITY ACT.** (Public, No. 117. H. R. 17263.) An act to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases"; approved April 22, 1908. (Approved April 5, 1910.)

Gives the courts of the United States and of the several States concurrent jurisdiction under the act. Confers survival of right of action to personal representative.

**SAFETY-APPLIANCE ACT.** (Public, No. 133. H. R. 5702.) An act to supplement "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," and other safety-appliance acts, and for other purposes. (Approved April 14, 1910.)

**RAILROADS TO REPORT ALL ACCIDENTS TO INTERSTATE COMMERCE COMMISSION.** (Public, No. 165. H. R. 3649.) An act requiring common carriers engaged in interstate and foreign commerce to make full reports of all accidents to the Interstate Commerce Commission, and authorizing investigations thereof by said Commission. (Approved May 6, 1910.)

**BUREAU OF MINES ESTABLISHED.** (Public, No. 179. H. R. 13915.) An act to establish in the Department of the Interior a Bureau of Mines. (Approved May 16, 1910.)

For the protection of miners.

**PREVENTION OF COLLISIONS OF VESSELS AND REGULATION OF EQUIPMENT OF MOTOR BOATS.** (Public, No. 201. S. 7359.) An act to amend laws for preventing collisions of vessels and to regulate equipment of certain motor boats on the navigable waters of the United States. (Approved June 9, 1910.)

**POSTAL SAVINGS BANKS.** (Public, No. 268. S. 5876.) An act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes. (Approved June 25, 1910.)











B. P. L. Bindery.  
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